

EXHIBIT A

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF MORTON

SOUTH CENTRAL JUDICIAL DISTRICT

Energy Transfer LP (formerly known as
Energy Transfer Equity, L.P.) and Energy
Transfer Operating, L.P. (formerly known
as Energy Transfer Partners, L.P.),

Plaintiffs,

v.

Greenpeace International (also known
as "Stichting Greenpeace Council");
Greenpeace, Inc.; Greenpeace Fund, Inc.;
Red Warrior Society (also known as "Red
Warrior Camp"); Cody Hall; Krystal Two
Bulls; and Charles Brown,

Defendants.

Case No. 30-2019-CV-00180

SUMMONS

THE STATE OF NORTH DAKOTA TO THE ABOVE-NAMED DEFENDANTS:

[¶ 1] You are hereby summoned to answer the Complaint of the Plaintiffs in the above-entitled action, which is filed in the office of the Clerk of the District Court of the South Central Judicial District, Morton County, North Dakota, and to serve a copy of your answer to said complaint on the undersigned within twenty-one (21) days after the service of this Summons upon you, exclusive of the day of service, and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

DATED this 21st day of February, 2019.

FREDRIKSON & BYRON, P.A.

By: 

Lawrence Bender, ND Bar #03908
1133 College Drive, Suite 1000
Bismarck, ND 58501-1215
Telephone: 701.221.8700
lbender@fredlaw.com

*Attorneys for Plaintiffs Energy Transfer LP
and Energy Transfer Operating, L.P.*

65961104.1

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF MORTON

SOUTH CENTRAL JUDICIAL DISTRICT

Energy Transfer LP (formerly known as
Energy Transfer Equity, L.P.) and Energy
Transfer Operating, L.P. (formerly known
as Energy Transfer Partners, L.P.),

Plaintiffs,

v.

Greenpeace International (also known
as “Stichting Greenpeace Council”);
Greenpeace, Inc.; Greenpeace Fund, Inc.;
Red Warrior Society (also known as “Red
Warrior Camp”); Cody Hall; Krystal Two
Bulls; and Charles Brown,

Defendants.

Case No. 30-2019-CV-00180

COMPLAINT

[¶1] Plaintiffs Energy Transfer LP and Energy Transfer Operating, L.P. (together, “Energy Transfer” or the “Company”), for their complaint against Defendants Greenpeace International (aka “Stichting Greenpeace Council”); Greenpeace, Inc.; Greenpeace Fund, Inc.; Charles Brown (collectively, the “Greenpeace Defendants”); Red Warrior Society (aka “Red Warrior Camp”); Cody Hall; Krystal Two Bulls; and Charles Brown, allege as follows:

INTRODUCTION

[¶2] This action arises from Defendants’ unlawful and violent scheme to cause financial harm to Energy Transfer, physical harm to its employees and infrastructure, and to disrupt and prevent Energy Transfer’s construction of the Dakota Access Pipeline (“DAPL”) -- a 1,172-mile long underground crude oil pipeline which extends from the Bakken region of North Dakota to Patoka, Illinois. Defendants’ unlawful acts include violent attacks on Energy Transfer employees and property, soliciting money for and providing funding to support these illegal

attacks, inciting protests to disrupt construction, and a vast, malicious publicity campaign against Energy Transfer. All the while, Defendants utilized the anti-DAPL platform to raise tens of millions of dollars in donations from the public under the guise of concern over indigenous peoples' rights.

[¶3] The conduct and harm alleged here has been described by the U.S. District Court for the District of North Dakota as “mindless and senseless criminal mayhem” that is not protected by the rights of free speech and assembly:

With respect to the assertion the movement has been a peaceful protest, one need only turn on a television set or read any newspaper in North Dakota. There the viewer will find countless videos and photographs of the “peaceful” protestors attaching themselves to construction equipment operated by Dakota Access; vandalizing and defacing construction equipment; trespassing on privately-owned property; obstructing work on the pipeline; and verbally taunting, harassing, and showing disrespect to members of the law enforcement community. . . . The estimated damage to construction equipment and loss of work on the project is far in excess of several million dollars. . . . To suggest that all of the protest activities to date have been “peaceful” and law-abiding defies commonsense and reality.

Dakota Access, LLC v. Archambault, No. 1:16-cv-296, 2016 WL 5107005, at *2 (D.N.D. Sept. 16, 2016).

[¶4] Defendants thus advanced their extremist agenda -- to attack and disrupt Energy Transfer's business and its construction of DAPL -- through means far outside the bounds of democratic political action, protest, and peaceful, legally protected expression of dissent. Instead, Defendants pursued “militant direct action” -- in the words of Defendant Two Bulls -- including trespass onto Energy Transfer's private property; violent and destructive attacks on Energy Transfer construction equipment and other private property; arson; and intimidation, harassment, and assault of Energy Transfer employees.

[¶5] Defendants also engaged in large-scale, intentional dissemination of misinformation and outright falsehoods regarding Energy Transfer, DAPL's environmental

impact, and Energy Transfer's extensive efforts to address the concerns of local North Dakota communities about the pipeline, including spreading defamatory falsehoods regarding DAPL's supposed, but actually nonexistent, intrusion on local indigenous peoples' -- the Standing Rock Sioux Tribe's -- historically important burial sites and water supplies; as well as a defamatory campaign to interfere with and, indeed, destroy Energy Transfer's relationships with its investors, financiers, and other constituents.

[¶6] In fact, prior to starting construction on the pipeline, Energy Transfer spent more than two years working closely with the United States Army Corps of Engineers ("USACE"), and North Dakota officials, to identify a route for the pipeline that would have the least impact on local stakeholders and resources. Energy Transfer went to great lengths to engage with all interested stakeholders potentially affected by the pipeline's construction, including the Standing Rock Sioux Tribe ("SRST"). As a result, DAPL almost exclusively tracks private land, does not encroach on SRST land, and entirely avoids disturbance to historic and cultural resources. Accordingly, USACE determined -- with the concurrence of the North Dakota State Historic Preservation Officer -- that the Project *affected no historic properties*. USACE also determined that because Energy Transfer used the latest safety and protective technologies to construct DAPL, the risk of spill was extremely low.

[¶7] Notwithstanding Defendants' specific knowledge of the foregoing, Defendants' actions and words made clear that their purpose was to inflict as much financial harm as possible on Energy Transfer, whether or not they could actually prevent construction of the pipeline. In fact, when court decisions and other events confirmed the lawfulness and propriety of DAPL, Defendants stated openly that their efforts were nonetheless justified by the tremendous additional expense and delay they caused to Energy Transfer.

[¶8] Defendants' malicious intent -- and their stunning hypocrisy -- were evidenced by, among other things, the fact that the call for "direct action" incited, led, and financially

supported by Defendants left tribal and other lands in an utterly degraded condition -- strewn with rotting garbage, pest-infested firewood, human waste, orphaned animals, abandoned tents and other structures, and over 830 dumpster loads of trash. The Greenpeace Defendants -- whose pockets were lined with tens of millions of dollars in anti-DAPL contributions they raised from around the globe -- disappeared, and contributed ***not a cent*** to restore North Dakota to the condition in which they found it. Instead, the bill for the multi-million dollar cleanup of the “environmental disaster” left by protestors fell largely upon the citizens of North Dakota and American taxpayers, and the Standing Rock Sioux Tribe.

[¶9] As the citizens of North Dakota experienced firsthand, the Defendants, purportedly protesting Energy Transfer and DAPL, inflicted other significant harm upon the State of North Dakota and its citizens in addition to the environmental mess they left behind. North Dakota citizens suffered months of harassment, intimidation, and threats from protestors; their property was destroyed; ranchers’ cattle and bison were butchered or maimed; graves were vandalized; and local residents’ private property was vandalized, leaving people feeling unsafe and under siege in their own homes. The State of North Dakota publicly condemned Defendants’ conduct: “[t]he real brutality [was] committed by violent protesters who use[d] improvised explosive devices to attack police, use[d] hacked information to threaten officers and their families, and use[d] weapons to kill livestock, harming farmers and ranchers.”

[¶10] By this action, Energy Transfer seeks to recover the millions of dollars of damages caused by Defendants’ unlawful, malicious, and coordinated attack on Energy Transfer and DAPL. Energy Transfer in no way seeks to limit or threaten anyone’s lawful exercise of their rights to free expression of their political and other beliefs and opinions, or in any way suppress political debate over important environmental issues. Defendants’ actions, however, were not protected free speech or expression. Instead, they were designed to inflict damage,

cause delay, defame Energy Transfer, and disrupt Energy Transfer as much as possible; and it is for all of this that Energy Transfer seeks to vindicate its own legal rights in the face of Defendants' extensive, unjustified, and unlawful conduct that is set forth in detail in this complaint.

PARTIES AND RELEVANT NON-PARTIES

Plaintiffs

[¶11] Plaintiff Energy Transfer LP is a master limited partnership organized under the laws of Delaware and headquartered in Dallas, Texas. Energy Transfer LP was formerly known as Energy Transfer Equity, L.P.

[¶12] Plaintiff Energy Transfer Operating, LP is a master limited partnership organized under the laws of Delaware and headquartered in Dallas, Texas. Energy Transfer Operating, L.P. was formerly known as Energy Transfer Partners, L.P.

[¶13] Energy Transfer owns the largest liquid petroleum and natural gas pipeline system by volume in the United States, spanning nearly 72,000 miles. Energy Transfer holds a 51 percent interest in Dakota Access, LLC ("Dakota Access"), a limited liability company organized under the laws of Delaware with its headquarters and principal place of business in Dallas, Texas. Dakota Access owns and operates DAPL.

The Greenpeace Defendants

[¶14] Defendants Greenpeace International, aka Stichting Greenpeace Council ("GP-International" or "GPI"), Greenpeace, Inc. ("GP-Inc."), and Greenpeace Fund, Inc. ("GP-Fund") are each constituents of the international "Greenpeace" organization, a network of legally distinct, yet coordinated, international, national, and regional associations, and are inextricably bound with each other.

[¶15] Defendant GPI is a Dutch not-for-profit foundation based in Amsterdam, the Netherlands. GPI reviews, approves, and underwrites the activities of national and regional

“Greenpeace” entities, including GP-Inc. and GP-Fund. GPI also directs the activities of international Greenpeace entities, such as Greenpeace Netherlands and Greenpeace Japan.

[¶16] GP-Inc. is a nonprofit corporation organized under the laws of California and headquartered in Washington, D.C. GP-Inc. is licensed to do business in many states, including North Dakota.

[¶17] GP-Fund is a nonprofit corporation organized under the laws of California and headquartered in Washington, D.C. GP-Fund is licensed to do business in many states, including North Dakota.

[¶18] GP-Inc. and GP-Fund collectively hold themselves out as “Greenpeace USA” and share an executive director, Annie Leonard. Employees of GP-Inc. and GP-Fund are publicly identified as representatives of “Greenpeace USA.” GP-Inc. and GP-Fund publish reports as “Greenpeace USA,” and act together as “Greenpeace USA.” GP-Inc. and GP-Fund have admitted in public filings that they jointly “control all Greenpeace operations in the United States” and “pursuant to a ‘protocol’ between [] all other Greenpeace entities worldwide, including . . . Greenpeace International, no Greenpeace operations are to occur in the United States without [their] consent.” GPI and Greenpeace USA each purport to be “expert” organizations that publish reports based on “expert analysis and investigations.”

[¶19] Defendant Charles Brown is a resident of Virginia. In 2018, Greenpeace USA recruited and hired Brown as a “pipeline campaigner” focused on “Greenpeace’s priority project of 2018” -- stopping pipelines and interfering with Energy Transfer’s infrastructure projects. Brown has trained, supported, and directed ongoing obstruction against Energy Transfer’s infrastructure projects, including the Bayou Bridge Pipeline in Louisiana.

Defendants Red Warrior Society aka Red Warrior Camp, Cody Hall, and Krystal Two Bulls

[¶20] Defendant Cody Hall is a resident of South Dakota. Defendant Hall is a leader, organizer, spokesperson, and fundraiser for Red Warrior Society.

[¶21] Defendant Krystal Two Bulls is a resident of Montana. Defendant Two Bulls serves as a leader, organizer, media coordinator, and fundraiser for Red Warrior Society.

[¶22] Red Warrior Society is an informal organization of the most violent, most radical anti-DAPL activists in North Dakota and across the country. Red Warrior Society is a front organization for Greenpeace USA intended to provide cover for Greenpeace USA's support of and engagement in illegal, violent "direct action" against Energy Transfer and DAPL. Defendant Hall formed Red Warrior Camp, the physical incarnation of Red Warrior Society, near the DAPL crossing at Lake Oahe in the fall of 2016 with the financial support and direction of Greenpeace USA and Earth First! in connection with anti-DAPL protests in North Dakota.

[¶23] Red Warrior Society, and its members at Red Warrior Camp, distinguished themselves from other activists by their express rejection of non-violent protest, and embrace of violence and "militant direct action" tactics against Energy Transfer and DAPL. "Militant direct action," as the term is used by Red Warrior Society, means the destruction of Energy Transfer construction equipment and other property, attacks on and intimidation of Energy Transfer employees, and operations specifically designed to damage or destroy DAPL. In the words of Defendant Two Bulls, "Militant direct action is a strategy we use to build real movements, change power dynamics, shift societies and even remove governments."

Non-Party Banktrack

[¶24] Banktrack, aka Stichting Banktrack, is a not-for-profit foundation based in Nimegen, the Netherlands. Banktrack coordinated with Greenpeace Defendants to publish and disseminate false statements about Energy Transfer and DAPL. Banktrack also coordinated with Greenpeace Defendants to disseminate false statements about Energy Transfer and DAPL to Energy Transfer's lenders to induce the termination or impairment of these relationships.

Non-Party Earth First!

[¶25] Earth First!, an unincorporated association, is a radical environmentalist activist group. In connection with DAPL protests, Earth First! provided \$500,000 to extremist protestors, including Cody Hall and Krystal Two Bulls, to form and fund the violent Red Warrior Camp at DAPL crossing near Lake Oahe; coordinated with Greenpeace USA to provide training in “direct action” and criminal sabotage to Red Warrior Camp; and distributed copies of its Direct Action Manual and Ecodefense Guide -- which provide instruction on “direct action” techniques -- at protest camps in North Dakota and other sites along DAPL’s route.

JURISDICTION AND VENUE

[¶26] This Court has jurisdiction pursuant to N.D. R. Civ. P. 4(b)(2) because each defendant directly and through agents transacts business within the state; committed tortious acts within or outside the state causing injury to another person or property within the state; and/or have committed a tort within the state causing injury to another person or property within or outside the state.

[¶27] Venue is proper in Morton County pursuant to N.D.C.C. § 28-04-05 because a substantial number of the events and conduct giving rise to this action occurred in this county.

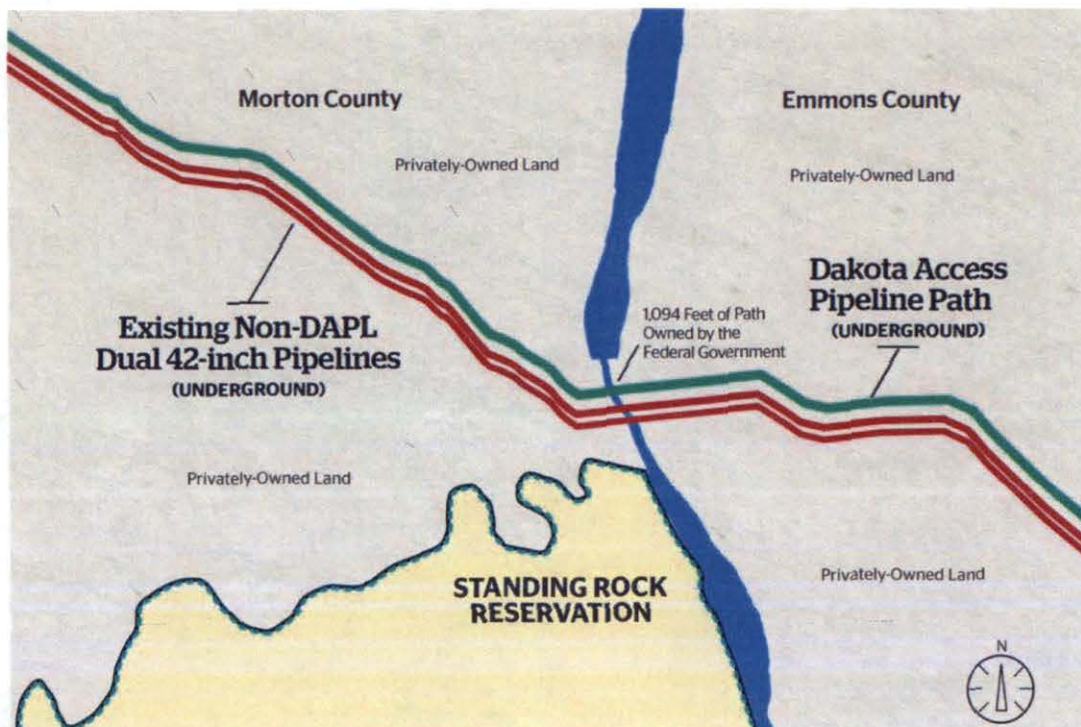
FACTS

A. Energy Transfer carefully and extensively plans and designs DAPL to track privately owned land and minimize environmental impact.

[¶28] On June 25, 2014, Energy Transfer announced the development and construction of DAPL -- a 1,172 mile underground oil pipeline -- to transport nearly a half-million barrels of domestically produced crude oil across four states on a daily basis. Via the pipeline, oil is transported from the Bakken region in North Dakota, across South Dakota and Iowa, to Patoka, Illinois, where it connects to the national and international oil refining and distribution networks.

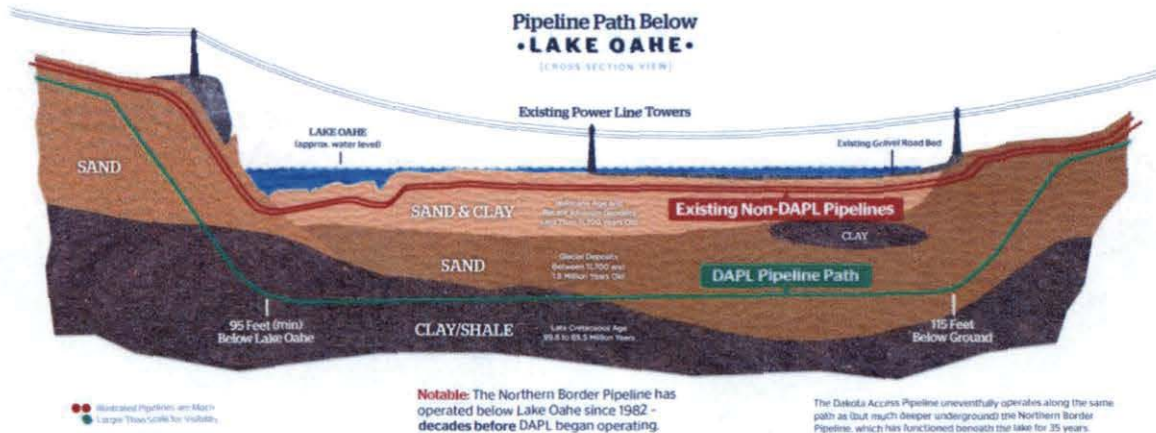
[¶29] For the next 25 months, the Company -- working closely with USACE and North Dakota state officials -- conducted extensive planning to identify a route for the pipeline that would have the least impact on community stakeholders, the environment, and other natural and cultural resources.

[¶30] As a result of Energy Transfer's careful planning, DAPL traverses private land for 99% of its route. One exception is where DAPL crosses federally-owned and regulated waters at the Missouri River under the man-made Lake Oahe -- a reservoir that begins just north of Pierre, South Dakota and extends nearly to Bismarck, North Dakota. Lake Oahe is federally owned and regulated, as is the land surrounding it. The Lake Oahe crossing is located a half mile above the northern boundary of the SRST reservation. As shown in the image below, ***DAPL does not cross any SRST-owned land or water.***



[¶31] As depicted in the image below, the pipeline "crosses" 90 to 115 feet beneath Lake Oahe along the route of an existing pipeline -- the Northern Border Pipeline. Energy

Transfer selected this crossing location because it would traverse a path that was already disturbed by existing infrastructure, thus minimizing the impact to the environment and reducing the risk of any negative impact to historic resources or cultural features.



[¶32] On July 25, 2016, USACE issued a Final Environmental Assessment for DAPL with a Mitigated Finding of No Significant Impact, concluding that the risk of spill was very low, and authorizing the pipeline's route under Lake Oahe.

B. Defendants execute an unlawful and violent campaign to cause financial and reputational harm to Energy Transfer and to obstruct construction of DAPL.

[¶33] No later than July 2016, as DAPL neared completion, the Greenpeace Defendants conspired and agreed with Banktrack, Earth First!, Cody Hall, and Krystal Two Bulls to engage in a coordinated campaign to obstruct Energy Transfer's construction of DAPL and its business operations and to inflict the maximum amount of financial and reputational harm possible upon Energy Transfer.

[¶34] Defendants' operations against Energy Transfer consisted of three components. First, the Greenpeace Defendants and Banktrack disseminated false statements about Energy Transfer and DAPL to the public for the purpose of raising funds to further their anti-DAPL agenda, inciting thousands of protestors to descend on Lake Oahe to halt construction of DAPL,

and damaging Energy Transfer's reputation. Second, Greenpeace USA and Earth First! organized, funded, and supported unlawful acts of trespass, property destruction, and violence by protestors (including Hall and Two Bulls) to obstruct construction and operation of DAPL. Third, the Greenpeace Defendants and Banktrack disseminated false statements about Energy Transfer and DAPL directly to Energy Transfer's lenders and investors to induce the termination or impairment of these relationships and/or contracts and damage Energy Transfer's reputation.

1. Defendants disseminate malicious false statements about Energy Transfer and DAPL in a misinformation campaign.

[¶35] Beginning in (at the latest) August 2016 and continuing through the months of protests at Lake Oahe, the Greenpeace Defendants and Banktrack commenced large-scale dissemination of false claims about the impacts of the development, construction, and operation of DAPL. These misrepresentations were disseminated via, *inter alia*, mass emails sent by these Defendants to their membership, donor, and other email lists, websites operated by these Defendants, press releases, social media accounts and other means.

[¶36] The Greenpeace Defendants' and Banktrack's specific misrepresentations are set forth in detail in Appendix A to this Complaint. These Defendants' misrepresentations regarding DAPL and Energy Transfer fall into six broad categories: (a) false statements regarding DAPL's path, (b) false statements alleging Energy Transfer "desecrated" cultural resources, (c) false statements regarding the environmental impact of DAPL on water supplies, (d) false statements regarding the impact of DAPL on climate change, (e) false statements regarding Energy Transfer's pre-construction environmental assessments of DAPL project, and (f) false statements regarding Energy Transfer's treatment of anti-DAPL protestors. As will be shown at trial, each of these misrepresentations, individually and collectively, caused substantial damage to Energy Transfer.

a. Defendants misrepresented that DAPL traverses SRST lands.

[¶37] The Greenpeace Defendants and Banktrack made, and repeated countless times, baseless claims regarding DAPL's route. Specifically, they falsely represented that the pipeline would traverse under and/or across sovereign SRST land. This is false. *In fact, the pipeline does not traverse SRST property, at all.* The Lake Oahe crossing is located a half-mile north of the legal boundary of the SRST reservation. Its waters are federally owned and regulated, as is the 1.4 miles of land beneath Lake Oahe where DAPL passes under the waterway. The land adjacent to Lake Oahe, through which the pipeline traverses is likewise federally owned. The facts regarding DAPL's specific path have been publicly known since before construction on the pipeline ever commenced. Yet the Greenpeace Defendants and Banktrack repeatedly disseminated this false claim to thousands upon thousands, if not millions, of people, including their constituents and the general public, as part of their effort to raise funds and to incite anti-DAPL protests.

b. Defendants misrepresented that Energy Transfer desecrated cultural resources.

[¶38] The Greenpeace Defendants and Banktrack also falsely claimed that Energy Transfer "deliberately desecrated documented burial grounds and other culturally important sites" and "destroyed sacred Native Lands" and "religious and other historical sites." Contrary to these claims, DAPL route was meticulously planned to, and does, avoid historically or culturally important sites. In fact, as the Defendants were well aware, Energy Transfer went to extraordinary lengths to ensure cultural resources were not disturbed or destroyed, including by consulting with SRST prior to construction. Indeed, in April 2016, USACE determined -- with the concurrence of the North Dakota State Historic Preservation Officer -- that the pipeline affected no historic properties.

[¶39] Moreover, findings of the North Dakota State Historical Society, released on September 22, 2016, gave lie to any claim that Energy Transfer desecrated historical resources near Lake Oahe. In fact, after conducting its own, independent cultural resource survey of the Lake Oahe corridor and DAPL's impact on the cultural and historical resources, the North Dakota State Historical Society concluded that there was "no evidence of infractions [by Energy Transfer] . . . with respect to disturbance of human remains or significant sites."

c. Defendants misrepresented that DAPL would "poison" SRST water supplies.

[¶40] The Greenpeace Defendants and Banktrack falsely alleged DAPL would result in "[m]illions of people los[ing] access to a clean water supply, including the Standing Rock Sioux Tribe." This is not only false, but impossible. There is consensus among the scientific community that pipelines are the safest method to transport energy products and the risks of any pipeline rupture are minimal. Moreover, regardless of false assessment of the risks to the SRST's water supply in the future, these Defendants asserted that, as a matter of current fact, residents of North Dakota including the SRST would lose access to clean water upon the construction of DAPL.

[¶41] Again, it is beyond cavil that these assertions are false. DAPL was designed and constructed in strict compliance with federal safety requirements and industry best practices, and utilized the latest safety and protective technologies. Safety features of the pipeline include a technologically advanced corrosion-resistant, external coating over the pipeline; advanced, automated leak detection; and remote-controlled isolation valves to allow rapid sealing in the event of a leak in the pipeline. Energy Transfer employed advanced, low-impact horizontal directional drilling techniques for installation of the pipeline below bodies of water and other sensitive sites. Moreover, DAPL's construction did not result in any North Dakota resident losing access to clean water, as was asserted.

d. Defendants misrepresented that DAPL would catastrophically alter climate.

[¶42] The Greenpeace Defendants and Banktrack falsely claimed that DAPL is a “climate destroying project” as a result of increased greenhouse emissions purportedly caused by the pipeline. In fact, DAPL has a net positive climate impact because it provides infrastructure to transport oil that would otherwise be carried by fossil fuel-intensive railroads, trucks, or barges, all of which have a higher likelihood of causing environmental damage from spills or leaks. Since DAPL became operational, oil-carrying train traffic within North Dakota has decreased from 12 daily trains, or 1,200 cars, at similar oil production volumes, to 2 trains, or 200 cars, and has thus lowered net fossil-fuel consumption and carbon emissions. As a result, DAPL has had an undeniably positive impact on each of the environmental concerns cited by Defendants.

e. Defendants misrepresented that DAPL was routed and approved without adequate environmental review or consultation.

[¶43] The Greenpeace Defendants further misrepresented that DAPL’s approval “was rushed, lacked proper government-to-government consultation with [SRST],” was “rubber-stamp[ed],” and “approved without adequate environmental reviews.” This too is false, and, in fact, has been rejected twice by the U.S. District Court of the District of Columbia (the “DC Court”) in *Standing Rock Sioux Tribe, et al. v. U.S. Army Corps of Engineers*, 16-cv-1534, a lawsuit challenging the adequacy of the consultation and environmental review process for DAPL.

[¶44] On September 9, 2016, the D.C. Court found that Energy Transfer “prominently considered” the “potential presence of historic properties” in choosing a route for the pipeline:

Using past cultural surveys, the company devised DAPL’s route to account for and avoid sites that had already been identified as potentially eligible for or listed on the National Register of Historic places. With that path in hand, in July 2014, the company purchased rights to a 400-foot corridor along its preliminary route to

conduct extensive new cultural surveys of its own. These surveys eventually covered the entire length of the pipeline in North and South Dakota, and much of Iowa and Illinois. Professionally licensed archaeologists conducted Class II cultural surveys, . . . [and] [i]n some places, . . . intensive Class III cultural surveys. . . .

Where this surveying revealed previously unidentified historic or cultural resources that might be affected, the company mostly chose to reroute. In North Dakota, for example, the cultural surveys found 149 potentially eligible sites, 91 of which had stone features. The pipeline workspace and route was modified to avoid all 91 of these stone features and all but 9 of the other potentially eligible sites. By the time the company finally settled on a construction path, then, the pipeline route had been modified 140 times in North Dakota alone to avoid potential cultural resources. Plans had also been put in place to mitigate any effects on the other 9 sites through coordination with the North Dakota SHPO. All told, the company surveyed nearly twice as many miles in North Dakota as the 357 miles that would eventually be used for the pipeline.

[¶45] The D.C. Court also detailed Energy Transfer's efforts to consult with the SRST, noting that, despite "dozens of attempts to engage Standing Rock," the "Tribe largely refused to engage in consultations." Nonetheless, the D.C. Court also concluded that the USACE -- who provided critical oversight of DAPL planning -- independently consulted with the SRST regarding DAPL's proposed path. In fact, the D.C. Court found that the USACE "exceeded its NHPA obligations" in considering the SRST's concerns:

For example, in response to the Tribe's concerns about burial sites at the James River crossing, the Corps verified that cultural resources indeed were present and instructed Dakota Access to move the site to avoid them. Dakota Access did so. Furthermore, the Corps took numerous trips to Lake Oahe with members of the Tribe to identify sites of cultural significance. [The USACE commander] also met with the Tribe no fewer than four times in the spring of 2016 to discuss their concerns with the pipeline. Ultimately, the Corps concluded that no sites would be affected by the DAPL construction at Lake Oahe, and the State Historic Preservation Officer who had visited that site concurred. The Corps' effort to consult the Tribe on this site -- the place that most clearly implicated the [SRST's] cultural interests -- sufficed under the NHPA. . . . [T]his is not a case about empty gestures. . . . [T]he Corps and the Tribe engaged in meaningful exchanges that in some cases resulted in concrete changes to the pipeline's route.

[¶46] In addition, on June 14, 2017, the D.C. Court rejected the SRST's claim that the USACE's review process was inadequate; finding instead that the USACE amply considered viable alternatives to the final route, the risks of spill, and the environmental impact of any potential spill. The D.C. Court found that the environmental analysis extensively "discuss[ed] DAPL's 'reliability and safety,'" providing "the necessary content" to support its conclusion that the risk of a spill is very low.

[¶47] Further, the D.C. Court held that Energy Transfer's choice of the approved route, rather than an alternative route that traversed closer to Bismarck, North Dakota was not only legal, but prudent because, among other reasons, the proposed Bismarck route would have been co-located with existing utility or pipeline routes for only 3 percent of the total route, and thus posed a substantially greater risk of negative impact to cultural resources and the environment than the selected route.

f. Defendants misrepresented that Energy Transfer used excessive force against peaceful protests.

[¶48] The Greenpeace Defendants and Banktrack also repeatedly published false statements that Energy Transfer "commit[ted] grievous human rights violations" against "peaceful" and "non-violent" anti-DAPL protestors. This too is false. Energy Transfer did not utilize "excessive force" -- let alone commit "human rights violations" -- against anyone. Construction workers and private security officers exercised restraint, and proportionately responded to extreme violence and intentional sabotage directed at Energy Transfer employees and property by protestors. In fact, the protests incited and funded by Defendants at Lake Oahe were not remotely peaceful. The State of North Dakota publicly concluded that it was not Energy Transfer that was violent, but the protestors: "[t]he real brutality [was] committed by violent protestors who use[d] improvised explosive devices to attack police, use[d] hacked information to threaten officers and their families, and use[d] weapons to kill livestock, harming farmers and ranchers."

[¶49] The U.S. District Court for the District of North Dakota likewise described the protests as “mindless and senseless criminal mayhem,” with “protestors attaching themselves to construction equipment operated by Dakota Access; vandalizing and defacing construction equipment; trespassing on privately owned property; obstructing work on the pipeline.” *Dakota Access, LLC v. Archambault*, 2016 WL 5107005, at *2 (D.N.D. Sept. 16, 2016).

2. Defendants organize, fund, and support unlawful acts of trespass, property destruction, and violence.

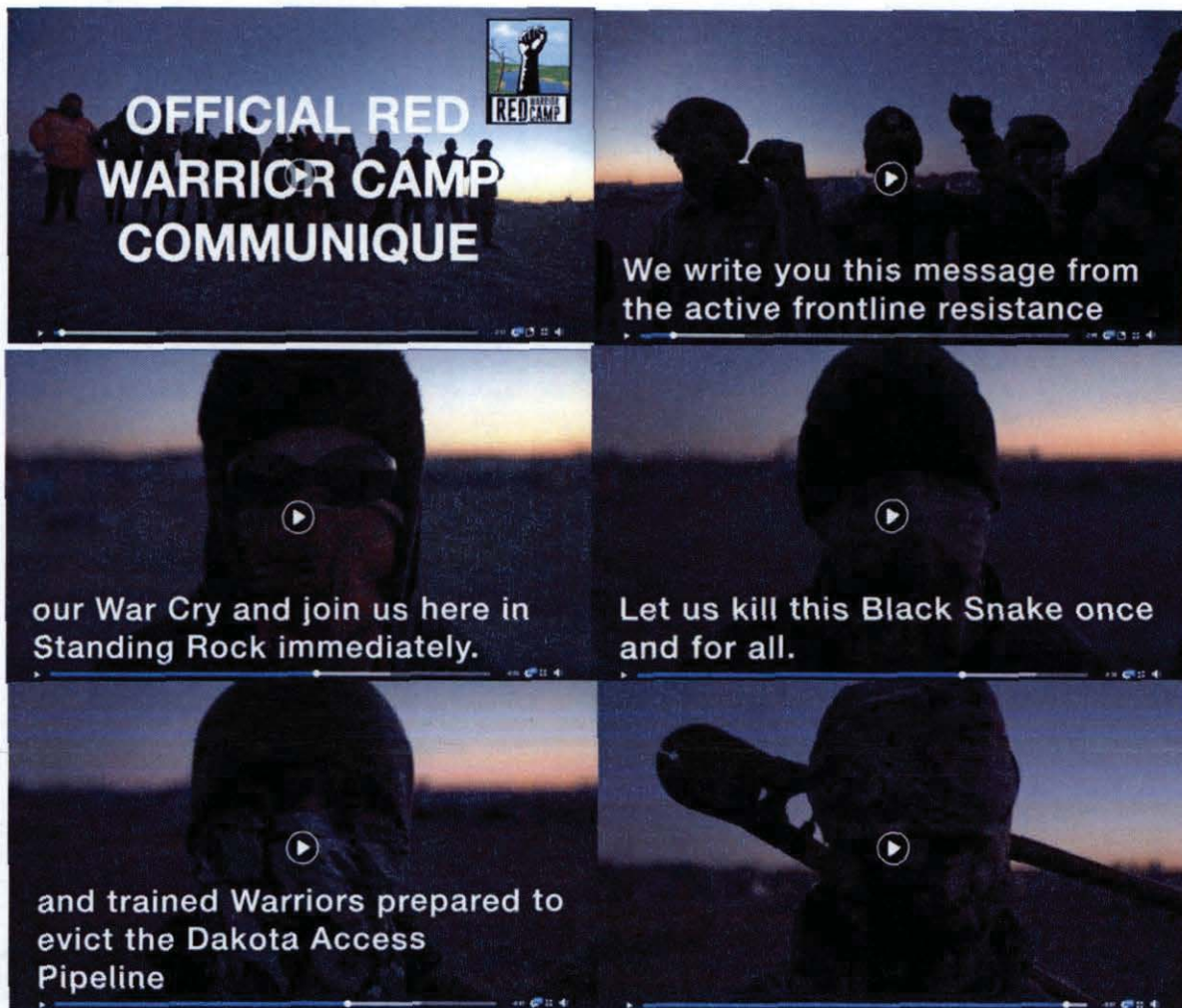
1. Defendants obstruct construction of the pipeline in North Dakota.

[¶50] In or around August 2016, in response to the Defendants’ misinformation campaign, thousands of protestors from around the country and the world traveled to North Dakota to join what to date had been small, local protests against DAPL. As more and more out-of-state protestors descended on the Lake Oahe crossing, they formed massive encampments on surrounding land. Greenpeace USA sent its “direct action trainers” to the camps to lead “daily direct action trainings,” including instruction in “hard lockdown blockades” and “technical blockades.” Among other things, Greenpeace USA taught protestors how to use U-locks, steel cables, chains, and heavy metal pipes to attach themselves to construction equipment. Protestors proceeded to employ these tactics at DAPL construction sites on an almost daily basis between August and November 2016, causing a total shutdown of pipeline construction.

[¶51] In or around August 2016, Earth First!, in concert with the Greenpeace Defendants, gave \$500,000 in seed money to the most extreme anti-DAPL protestors to form and support “Red Warrior Camp.” Red Warrior Camp was formed to organize the protestors most willing to engage in violence against Energy Transfer employees and DAPL. Greenpeace USA supported Red Warrior Camp by providing direct action training to its members and excusing its own employees from their jobs at Greenpeace to join Red Warrior Camp (while being paid by Greenpeace USA) to protest DAPL as members of Red Warrior Camp. Greenpeace USA also held a donation drive in ten or more cities across North America to raise money and supplies to

support Red Warrior Camp, whose advocacy of violent protest against the pipeline, and demonstrated willingness to engage in violence against Energy Transfer employees, was well known.

[¶52] Red Warrior Camp openly announced its violent intentions and spread its violent message on social media via a series of recruitment videos posted by a purported parent organization styled the “Red Warrior Society.” One video, called an “Official Red Warrior Society Communique,” uses stylized footage of Red Warrior Camp members wearing hoods and masks standing in front of a camera as the sun rises behind them. One masked member holds a large bolt cutter over his shoulder. The video claims to bring a “message from the active front line resistance” and issues a call for “skilled and trained warriors who are prepared to evict the Dakota Access Pipeline.”



[¶53] Another video, entitled an “Official Warrior Communique From the Front Lines” and produced with digital effects imitating a coded military transmission, features a masked Red Warrior Camp member issuing a call to action. The video repeatedly cuts to footage of violent anarchic riots across the world and urges the viewer to “take railroads. Take bridges. Do it! They cannot stop us all!”



[¶54] Another video documents Red Warrior Society's "Mask Up and Donate" tour of the United States to seek financial support. The video states that the Red Warrior Society is "looking for likeminded warriors" who will "join [them] in [their] fight for water by any means necessary." The video refers to Red Warrior Society members as "Black Snake Killaz" who eat "rubber bullets for breakfast."

[¶55] Red Warrior Society also produced documentary-style recruitment and fundraising videos that glorified and celebrated its members' unlawful acts. One video, titled "The Water Wars Have Begun #NODAPL," focused on conflicts between members of Red Warrior Camp and law enforcement in North Dakota on October 27, 2016. The video displays images of burning barricades, burning cars, and violent confrontations between masked Red Warrior Camp members law enforcement. A masked and hooded member of Red Warrior Camp states, "This is on the frontlines, right now. This is War." As Red Warrior Camp burns roads and barricades, a masked member of Red Warrior Camp threatens, "This is nothing compared to what the corporate greed does."





[¶56] Another video shows an event held at 8th Street and Memorial Highway in Mandan, North Dakota in which members clad in military-style camouflage jackets, black hoods, ski goggles, and bandanas chant “black snake killas” and “no pipeline pigs.” The video also contains images of a mock Thanksgiving feast with a severed pig’s head covered in blood as law enforcement personnel stand nearby.

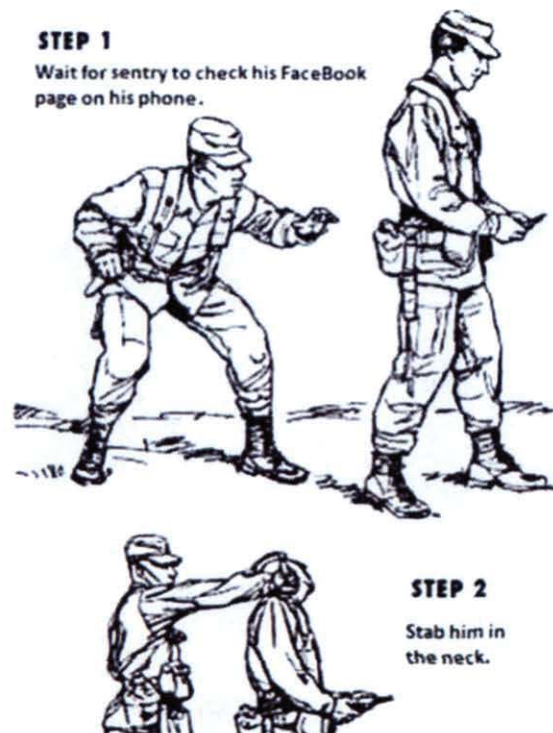
[¶57] Red Warrior Society’s violent anti-DAPL propaganda was also spread to the public through social media posts, primarily via Facebook. These posts often featured images of masked Red Warrior Society members, calls to arms, and other violent, anti-DAPL imagery.

[¶58] One image stated, “No Compromise, Stand For Water” and depicted masked Red Warrior Society members pointing drawn bows at a Native American wearing a shirt inscribed “DAPL” sitting in front of stacks of money:

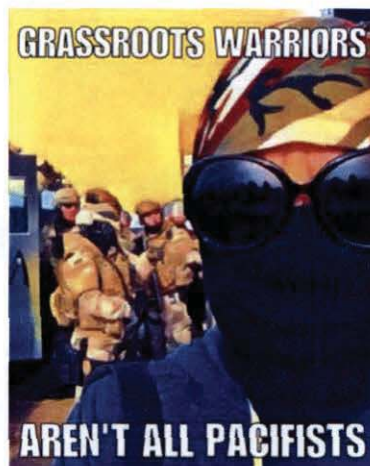


Red Warrior Society posted the image above with text that read: “By Any Means Necessary stand where ever [sic] you are the waters connect us all #EARTHSARMY.”

[¶59] In another Facebook post, Red Warrior Society provided “instructions” for disabling security guards or other law enforcement that stated: “Step 1. Wait for sentry to check his Facebook page on his phone. Step 2. Stab him in the neck” and depicted a man dressed in a military-style uniform being stabbed in the neck.”



[¶60] In yet another post, Red Warrior Society posted an image of a masked Red Warrior Society member superimposed on a picture of a group of soldiers, with text that read “Grassroots Warriors Aren’t All Pacifists.”



[¶61] The image above was accompanied with a post from Red Warrior Society that criticized non-violent protestors, who pursued a non-violent, pacifist approach.

Red Warrior Society is full of prayerful people, we pray with our bodies as well as our spirits! Pacifism and those who use it and defend it in a laterally (sic)

violent matter and even a violently physical matter (which makes no sense) need to educate and inform themselves on a diversity of tactics! #realitycheck #warriorup #grassroots #redwarrior #ancestralpride #warriorblood

[¶62] Red Warrior Society also used social media to post “communiqués,” including an October 10, 2016 message asking supporters to hear Red Warrior Society’s “War Cry” and issuing a call for “skilled and trained Warriors prepared to evict the Dakota Access Pipeline” to join the group in North Dakota and help Red Warrior Society “kill this Black Snake once and for all.”

[¶63] Each and every one of these videos and social media posts by Red Warrior Society illustrate Red Warrior Society’s rejection of peaceful political protest, and its embrace and advocacy of violence and intimidation as a means to stopping construction of DAPL. Moreover, the posts served to incite mayhem and violence against Energy Transfer and DAPL.

[¶64] Throughout this period, Defendant Two Bulls served as, in her own words, Red Warrior Society’s “media coordinator,” and would have been responsible for publication of the images above.

[¶65] In addition, on October 12, 2016, in the midst of the violence inflicted on Energy Transfer and DAPL by Red Warrior Society, Two Bulls published an editorial article entitled “The Financial Powers Behind the Dakota Access Pipeline Must Be Confronted” on the website www.commondreams.org that called for “militant direct action” in the “fight against the Dakota Access Pipeline.” In the article, Two Bulls set forth “lessons moving forward” to guide opponents of DAPL, including to:

Make militant direct action the organizing strategy, not just a tool in the toolbox. . . . Movements around the world use confrontational action as a strategy, not just as a tactic. Militant movements in Serbia ousted Milosevic Militant direct action is a strategy we use to build real movements, change power dynamics, shift societies and even remove governments.

A copy of Two Bulls article is attached hereto as Exhibit 1.

[¶66] As set forth below, Two Bulls and her Red Warrior Society cohorts made good on their advocacy for “militant direct action” against Energy Transfer and DAPL and carried out a string of militant attacks on Energy Transfer operations in North Dakota.

2. Hall leads Red Warrior Camp’s violent attacks on DAPL and Energy Transfer.

[¶67] On August 10, 2016, roughly 100 protestors led by Red Warrior Camp and Hall entered DAPL property near Lake Oahe. Upon entering, Red Warrior Camp members sought to obstruct Energy Transfer employees from gaining access to the property. One member -- who openly carried a 12-inch knife on his hip -- threatened Energy Transfer personnel on their way to work that if they tried to enter the site they would get “hurt.” Another member chained himself to a DAPL fence.

[¶68] The following day, August 11, 2016, approximately 200 protestors led by Red Warrior Camp and Hall again raided DAPL property near Lake Oahe, jumping fences, threatening Energy Transfer employees by brandishing knives and other weapons, and further threatening to attack them. Upon entering the property, Red Warrior Camp members destroyed barricades constructed by Energy Transfer to prevent trespassers from entering the construction site. Local police were called to provide protection to Energy Transfer employees.

[¶69] Attacks continued on August 12, 2016 when Red Warrior Camp members again raided Energy Transfer property and threatened violence against Energy Transfer employees on the property and prevented others from entering to perform their jobs. As a result of the persistent and escalating threats of violence against Energy Transfer employees, local police -- who had been called on each of the previous days -- were again called in to provide protection to Energy Transfer employees attempting to evacuate the property. As the police escorted the employees out, Red Warrior Camp members attacked departing cars with rocks and bottles.

[¶70] On September 3, 2016, Red Warrior Camp and Hall led hundreds of protestors in an attack on Energy Transfer's construction crews working on DAPL. Members of Red Warrior Camp stampeded horses, loosed dogs, and drove cars onto federal and private land where construction was occurring. Red Warrior Camp members attacked security personnel with knives, fence posts, flagpoles, and other improvised weapons.

[¶71] Red Warrior Camp members again attacked Energy Transfer employees and property on September 6, 2016.

[¶72] Days later, Defendant Hall was arrested by local police and charged with criminal trespass for his role in the multiple attacks on Energy Transfer and DAPL.

[¶73] Red Warrior Camp attacked again on September 9, 2016. Masked members, armed with knives and hatchets, swarmed a DAPL construction site two miles east of Highway 1806, leaving a wake of destruction in their path.

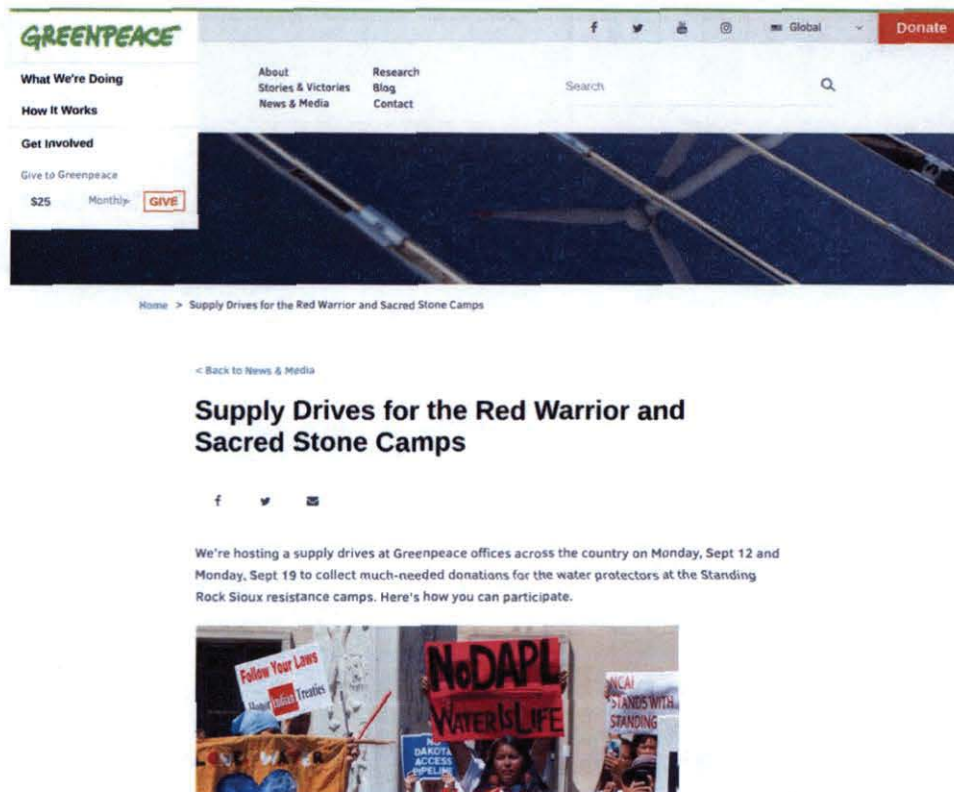
[¶74] On September 13, 2016, members of Red Warrior Camp again illegally entered a DAPL construction site and used steel pipes to lock themselves to DAPL construction equipment. The next day, September 14, 2016, Red Warrior Camp members trespassed at a DAPL construction site and attached themselves to a DAPL excavator, preventing its use.

3. The Greenpeace Defendants raise funds to support Red Warrior Camp's violent mission.

[¶75] Simultaneous with and after the attacks described above, the Greenpeace Defendants mounted a nationwide campaign to raise money and supplies to support and further Red Warrior Camp's attacks on DAPL and Energy Transfer. During this time, Greenpeace USA organized donation drives in ten cities across the United States to collect supplies to fund, feed, and house Red Warrior Camp members at Lake Oahe. Greenpeace USA directed funds be sent directly to Red Warrior Camp, or were delivered by Greenpeace, notwithstanding Hall's recent

arrest. At this time, Red Warrior Camp's record of violence against Energy Transfer personnel was well known, including within Greenpeace USA, and yet, with full knowledge that their aid to Red Warrior Camp would sustain it and allow its members to perpetrate violence, Greenpeace USA continued its fundraising activities on Red Warrior Camp's behalf. The supplies and funds Greenpeace USA raised directly enabled Red Warrior Camp's violent attacks on DAPL through October and November 2016.

[¶76] Greenpeace USA published an advertisement of its donation drives on its website, <https://www.greenpeace.org/usa/campaign-updates/supply-drive-for-dakota-red-warrior-camp/>:





Demonstrators at a solidarity rally for Dakota Access Pipeline activists in Washington, DC.
Robert Meyers

For months, the Standing Rock Sioux and their allies have been peacefully protesting the Dakota Access Pipeline project, which will carry more than 400,000 barrels of crude oil a day across their ancestral lands and under the Missouri River. If the pipeline leaks or spills, it could dump hundreds of thousands barrels of crude oil in the Missouri River less than a half mile downstream from the tribe's water supply.

The momentum created by Indigenous activists at Standing Rock is getting results. Resistance camp organizers have reached out for donations of camping, cooking, art, and other supplies to keep the growing peaceful opposition to the pipeline going as long as possible.

Stand with the Standing Rock Sioux by participating in donation drives in the following cities:

- Costa Mesa, CA
- Denver, CO
- Los Angeles, CA
- New York City, NY
- Oakland, CA
- Portland, OR
- San Diego, CA
- San Jose, CA
- St. Petersburg, FL
- Washington, DC

You can drop off your contributions to any Greenpeace office between 10:00am – 2:00pm local time on Monday, 9/12 or Monday 9/19.

Here is a list of the supplies that the camp has requested:

CAMPING SUPPLIES: <ul style="list-style-type: none"> • Tents (Various Sizes) • 1 person pup tents • Flashlights • Lanterns • Sleeping bags • Blankets • Heat blankets • Rain Coats/rain gear • Wool Socks • Winter gear • Shades/canopies • Chem lights • Tarps • Folding tables • Coolers (Large) • Cell phone boosters • Solar powered chargers/lights • Walkie talkies • Fire wood • Parachute cord • Jumper Cables 	COOKING SUPPLIES: <ul style="list-style-type: none"> • Industrial sized pots and pans • Cooking sheets BULK FOOD: <ul style="list-style-type: none"> • Non-perishable food ART SUPPLIES: <ul style="list-style-type: none"> • Canvas (Various sizes) • Poster board • Paint • Paint rollers • White flat sheets • Screen printing materials • Drawing ink (Black or red) • T-shirts (Red/various sizes) • Sweaters (Grey/Various sizes) • Large Tote/storage boxes 	KITCHEN SHADE MATERIALS: <ul style="list-style-type: none"> • Metal shelving units • Nails • Screws • Battery powered drill • Shovels BASIC MEDIC SUPPLIES: <ul style="list-style-type: none"> • Variety bandages • Splints • Ace wraps • Sleeves • Goldbond • Medical tape • Athletic tape • Medical scissors • Ice/hot packs OTHER: <ul style="list-style-type: none"> • Gift Cards • Visa Gas Cards
--	--	---

Please donate supplies of new or near-new condition appropriate (i.e. not damaged, dirty, or otherwise unfit for donation). Note that all donations are not tax-deductible.

You can also mail supply donations directly to the following address:

Red Warrior Camp
BIE 00N02 Agency Ave
Fort Yates, ND 58538
United States
Phone: (605) 220-2531

[¶77] During this same time period, Greenpeace USA published Red Warrior Camp's public "call to action" -- authored by defendant Two Bulls -- on its website. This communique urged the public to ***"take escalated action to stop the pipeline."*** A copy of the communique is attached hereto as Exhibit 2.

[¶78] Red Warrior Camp continued violent attacks on Energy Transfer and DAPL over the following months. On September 25, 2016, Red Warrior Camp led hundreds of protestors who trespassed on Energy Transfer property west of Highway 6, damaging equipment on site. When security personnel informed Red Warrior Camp members they were trespassing, members brandished knives and assaulted a security guard, dragging the security guard 100 yards. Paramedics were called to treat the security guard for injuries.

[¶79] On October 27, 2016, Red Warrior Camp led protestors who again trespassed on Energy Transfer property near Highway 1806, set up roadblocks to prevent access to the area, and erected an encampment on Energy Transfer property. When law enforcement requested that Red Warrior Camp members remove the barricade and leave Energy Transfer's property, Red Warrior Camp members responded with violence. On this night, Red Warrior Camp members built makeshift barriers between themselves and the police and lit them on fire to prevent law enforcement from evicting them from the site. Red Warrior Camp members threw Molotov cocktails at law enforcement, setting fire to DAPL land and appurtenant structures. Red Warrior Camp members also deliberately set fire to numerous Energy Transfer vehicles and its heavy construction equipment, destroying the property in the process.













[¶80] On November 20, 2016, Red Warrior Camp members gathered at a location known as Backwater Bridge. Red Warrior Camp members tore down barbed wire fencing and illegally entered Energy Transfer property. Armed Red Warrior Camp members attacked police, ignited fires on and near the bridge, and threw grenades and flares at law enforcement officers.

4. SRST votes to evict Red Warrior Camp, condemning its violence against Energy Transfer and DAPL.

[¶81] As a result of Red Warrior Camp's violent tactics, on November 1, 2016, the SRST Tribal Council unanimously voted to ask Red Warrior Camp to decamp from the Lake Oahe area out of concern for the safety of non-violent protestors opposing DAPL and because SRST rejected Red Warrior Camp's violent tactics. Red Warrior Camp ignored SRST's request, and not only did not leave the area, but continued to perpetrate violent operations against Energy Transfer and DAPL, rather than adopt the non-violent means of protest that SRST preferred and supported.

3. Defendants target Energy Transfer's business constituents.

[¶82] In addition to the misrepresentations regarding DAPL and Energy Transfer that the Greenpeace Defendants and Banktrack disseminated to the general public and their followers in the anti-fossil fuel and environmental activist communities, these Defendants also mounted a misinformation campaign directly targeted at Energy Transfer's business constituents in an effort to induce the termination of existing contracts or relationships or the impairment of these relationships. In particular, the Greenpeace Defendants and Banktrack focused their efforts on banks financing DAPL and Energy Transfer's other ongoing and prospective infrastructure projects. The specific misrepresentations directed by the Greenpeace Defendants and Banktrack are set forth in detail in Appendix A to the Complaint. These actions, together with those detailed below, were designed to inflict maximum financial harm to Energy Transfer, and succeeded in doing significant damage to the company and its relationship with the financial marketplace.

[¶83] For example, on November 8, 2016, Banktrack and Greenpeace USA sent a joint letter to the Equator Principles Association, a consortium of global banks that includes Energy Transfer lenders DNB, ING, Nordea, and BNP Paribas. The letter falsely alleged that Energy Transfer committed "gross violations of Native land titles," "deliberately desecrated documented burial grounds and other culturally important sites," and violated human rights.

[¶84] In reliance on these misrepresentations, DNB, one of the banks funding DAPL, sold its equity interest in Energy Transfer, totaling approximately \$3 million. DNB also promised to reconsider its participation in the lending facility to DAPL. Greenpeace USA took credit for DNB's divestment of shares in Energy Transfer, but continued to call on DNB to exit its loan to Energy Transfer.

[¶85] Days later, Greenpeace USA published a communique on its website entitled “Another Major Norwegian Investor Divests From Companies Behind Dakota Access Pipeline.” The article stated, falsely, that Energy Transfer was “disregard[ing] Indigenous sovereignty to destroy Native lands and water supply.” The article reiterated calls on DNB and Citibank to halt funding for DAPL, and called on Norwegian funds, such as KLP and Storebrand, to divest its shares in Energy Transfer.

[¶86] Between November 28-30, 2016, Banktrack, GPI, and Greenpeace USA sent joint letters to 17 banks involved in the \$2.5 billion lending facility to DAPL, including DNB, Citigroup, and ING, urging these banks to exit DAPL loan facility based on false claims about the impact of DAPL on the environment and cultural and historical resources.

[¶87] In response to Greenpeace Defendants’ and Banktrack’s misrepresentations, Citibank announced the retention of Foley Hoag LLP, a law firm with human rights expertise, on behalf of the consortium of banks financing DAPL. The consortium retained Foley Hoag to review various matters relating to the permitting process. Over the course of the following four months, Energy Transfer incurred fees and diverted resources to respond to requests for information in connection with Foley Hoag’s investigation.

[¶88] The Greenpeace Defendants and Banktrack continued to disseminate misrepresentations to the banks throughout 2017. In reliance on these misrepresentations, banks terminated their relationships with Energy Transfer. In January 2017, ING divested its shares in the Company.

[¶89] On February 2, 2017, after meeting with Greenpeace Netherlands and Banktrack, who misrepresented that Energy Transfer violated the SRST’s rights, ABN AMRO announced that it would not pursue new business with Energy Transfer. On February 8, 2017, following in-person meetings where Greenpeace USA falsely represented that DAPL “go[es] through the [SRST]’s reservation land,” Nordea announced it would exclude Energy Transfer from all investments.

[¶90] In March 2017, after representatives of Greenpeace Netherlands dug room for and planted 15 meters of super heavy pipe at ING headquarters in protest against DAPL, ING sold its share of the \$2.5 billion credit facility, totaling \$120 million. DNB sold its estimated \$340 million share of DAPL loan, after numerous calls by Greenpeace Defendants and Banktrack to end its participation. Norwegian funds KLP and Storebrand sold their shares in Energy Transfer.

[¶91] On April 5, 2017, BNP Paribas sold its \$120 million share of the loan.

C. Defendants' criminal scheme caused substantial harm in North Dakota.

[¶92] Defendants' campaign against Energy Transfer has had significant contact with, and effects in, North Dakota where Energy Transfer was actively involved in the construction of 357 miles of DAPL.

[¶93] Defendants' unlawful scheme was intended to -- and did -- cause harm to Energy Transfer in North Dakota. First, Greenpeace Defendants' campaign of misinformation was directed at disrupting lawful construction activity near the Lake Oahe crossing in North Dakota. Second, Greenpeace Defendants, Red Warrior Camp, Cody Hall, and Krystal Two Bulls organized, funded, and directed violent activities against Energy Transfer and DAPL at construction sites in North Dakota. Third, Greenpeace Defendants targeted Energy Transfer's business constituents, intending to interfere with Energy Transfer's financing and stop construction in North Dakota.

[¶94] As a result of Defendants' wrongful acts, Energy Transfer suffered substantial damage in North Dakota, including costs of delayed construction, unanticipated costs of professional security services to ward off violent protesters, and costs associated with mitigating Defendants' misinformation campaign in North Dakota.

[¶95] Defendants' wrongful conduct also caused immense harm to the state of North Dakota and its citizens. North Dakota taxpayers were damaged in an amount of more than \$38 million to pay for state and local responses to the protests and related illegal activities. The SRST -- on whose behalf Defendants purported to act -- incurred significant damages to begin major cleanup and restoration in January 2017 to prevent snowmelt from washing tens of thousands of pounds of garbage into the Cannonball and Missouri Rivers and contaminating the very waters the Defendants were purporting to protect. On federal land alone, it took USACE approximately three weeks in March and April 2017, and \$1.1 million of taxpayers' money to clean up after the protesters left 835 dumpsters worth of trash and debris in their wake.

D. Defendants continue organize, fund, and direct unlawful and destructive attacks on Energy Transfer's infrastructure projects.

[¶96] Greenpeace and Earth First! members continue to jointly target Energy Transfer's infrastructure projects. Greenpeace USA and Earth First! members have funded and directed protestors to establish encampments to protest the Mariner East 2 pipeline in Pennsylvania and the Bayou Bridge Pipeline in Louisiana. In 2018, Greenpeace USA hired defendant Charles Brown as a pipeline organizer solely to interfere with Energy Transfer's projects. Greenpeace USA sent Brown and other employees to train hundreds of protestors at both campsites. Using Greenpeace/Earth First! blockade techniques, protestors have stopped construction on an almost daily basis for both projects. Additionally, unknown individuals have used Ecodefense Guide techniques to vandalize bulldozers and other construction equipment at both sites. Earth First! members, through Earth First! Journal, have called for "further sabotage" and a "proliferation of more actions like these."

CAUSES OF ACTION

COUNT I

**TRESPASS TO LAND AND CHATTEL
(AGAINST THE GREENPEACE DEFENDANTS,
RED WARRIOR SOCIETY, HALL, TWO BULLS)**

[¶97] Energy Transfer re-alleges and incorporates every allegation in the foregoing paragraphs as if set forth in full.

[¶98] As set forth above, the above-named Defendants willfully entered Energy Transfer's property without consent or other privilege.

[¶99] The above-named Defendants funded, trained, directed, and caused others to willfully enter Energy Transfer's property without consent or other privilege.

[¶100] Upon willfully entering Energy Transfer's property without consent or other privilege, the above-named defendants and individuals funded and trained by the above-named Defendants maliciously and wantonly damaged and destroyed Energy Transfer's property, prevented Energy Transfer from using its land and construction equipment, and disrupted Energy Transfer's operations and caused financial harm to Energy Transfer.

[¶101] As a result of the above-named defendants' intentional trespass, Energy Transfer suffered harm and damages in an amount to be proven at trial, including damages for damaged or destroyed construction equipment, fencing and other barrier systems, and land; loss of use of Energy Transfer's land and construction equipment; numerous construction delays; and increased costs of operations.

COUNT II

**AIDING AND ABETTING TRESPASS TO LAND AND CHATTEL
(AGAINST THE GREENPEACE DEFENDANTS, HALL, TWO BULLS)**

[¶102] Energy Transfer re-alleges and incorporates every allegation in the foregoing paragraphs as if set forth in full.

[¶103] Individuals funded, trained, directed, and supported by the above-named defendants committed unlawful acts of trespass onto and conversion of Energy Transfer's property.

[¶104] Each of the above-named Defendants knew that these individuals intended to and did commit unlawful acts of trespass and conversion of Energy Transfer's property.

[¶105] Each of the above-named Defendants provided substantial assistance or encouragement to the trespass and conversion of Energy Transfer's property, including by providing funds, personnel, supplies, and training in support of the commission of unlawful acts against Energy Transfer, and the intentional infliction of financial harm resulting therefrom.

[¶106] As a direct, proximate result of each Defendant's substantial assistance and encouragement, Energy Transfer has been injured and suffered damages in an amount to be proven at trial.

COUNT III

CONVERSION (AGAINST THE GREENPEACE DEFENDANTS, RED WARRIOR SOCIETY, HALL, TWO BULLS)

[¶107] Energy Transfer re-alleges and incorporates every allegation in the foregoing paragraphs as if set forth in full.

[¶108] As set forth above, Defendants intentionally detained or destroyed Energy Transfer's personal property and wrongfully exercised dominion over Energy Transfer's personal property, in violation of Energy Transfer's property rights and causing it material financial harm.

[¶109] Defendants funded, trained, directed, and caused others to willfully detain or destroy Energy Transfer's personal property and wrongfully exercise dominion over Energy Transfer's personal property, in violation of Energy Transfer's property rights, and causing it material financial harm.

[¶110] As a result of Defendants' unlawful conversion, Energy Transfer suffered harm and damages in an amount to be proven at trial, including damages for damaged or destroyed construction equipment and fencing and other barrier systems; loss of use of Energy Transfer's land and construction equipment; numerous construction delays; and increased costs of construction and operations.

COUNT IV

AIDING AND ABETTING CONVERSION (AGAINST THE GREENPEACE DEFENDANTS, HALL, TWO BULLS)

[¶111] Energy Transfer re-alleges and incorporates every allegation in the foregoing paragraphs as if set forth in full.

[¶112] Individuals funded, trained, directed, and supported by the above-named Defendants committed unlawful acts of trespass onto and conversion of Energy Transfer's property.

[¶113] Each of the above-named Defendants knew that these individuals intended to and did commit unlawful acts of trespass and conversion of Energy Transfer's property.

[¶114] Each of the above-named Defendants provided substantial assistance or encouragement to the trespass and conversion of Energy Transfer's property, including by providing funds, personnel, supplies, and training in support of the commission of unlawful acts against Energy Transfer.

[¶115] As a direct, proximate result of each Defendant's substantial assistance and encouragement, Energy Transfer has been injured and suffered damages in an amount to be proven at trial.

COUNT V

DEFAMATION (AGAINST THE GREENPEACE DEFENDANTS)

[¶116] Energy Transfer re-alleges and incorporates every allegation in the foregoing paragraphs as if set forth in full.

[¶117] As set forth above, Greenpeace Defendants and Banktrack knowingly and intentionally published false and injurious statements about Energy Transfer, including:

- a. DAPL traverses SRST lands;
- b. DAPL will poison SRST's water supply;
- c. DAPL will catastrophically alter the climate;
- d. DAPL was routed and approved without adequate environmental review or consultation with SRST;
- e. Energy Transfer used excessive and illegal force against peaceful protestors; and
- f. Energy Transfer intentionally desecrated SRST's cultural resources.

[¶118] Greenpeace Defendants and Banktrack published these false and misleading statements in numerous publications on the internet, social media platforms, and in direct emails, letters, telephone communications, and in-person meetings to Energy Transfer's creditors, investors, and other critical market constituents, as well as to the public at large.

[¶119] Greenpeace Defendants and Banktrack made and published the false and defamatory statements set forth herein with actual malice, as such statements were made by Greenpeace Defendants and Banktrack with knowledge of their falsity or reckless disregard for their truth.

[¶120] Greenpeace Defendants and Banktrack published these falsehoods to third-parties and understood and intended that these false statements would have the effect of injuring Energy Transfer's reputation, preventing others from doing business with Energy Transfer, and interfering with Energy Transfer's existing business relationships.

[¶121] Greenpeace Defendants and Banktrack's false statements directly harmed Energy Transfer's business, property, and reputation in an amount to be determined at trial. Energy Transfer's harm includes lost financing; lost profits; increased expenses; legal fees; and monies expended to mitigate the impact of Greenpeace Defendants' and Banktrack's defamation campaign.

COUNT VI

**TORTIOUS INTERFERENCE
(AGAINST THE GREENPEACE DEFENDANTS)**

[¶122] Energy Transfer re-alleges and incorporates every allegation in the foregoing paragraphs as if set forth in full.

[¶123] Energy Transfer had many existing and prospective valid business relationships with third-parties, including with: (i) existing and prospective creditors; (ii) existing and prospective investors; and (iii) existing and prospective long-term capacity transportation shippers.

[¶124] The Greenpeace Defendants knew of Energy Transfer's existing and prospective business relationships with these third-parties.

[¶125] The Greenpeace Defendants intentionally interfered with Energy Transfer's existing and prospective business relationships with these third-parties by disseminating false, misleading, and defamatory statements concerning Energy Transfer's business and DAPL and supporting, funding, and executing trespass and violence on Energy Transfer's land and property. This interference was committed intentionally and without justification or excuse.

[¶126] Energy Transfer had a reasonable expectation of obtaining the benefits of these existing and prospective business relationships. Each of the Defendants was aware of, and intended to cause, this detrimental impact on Energy Transfer's existing and prospective business relationships.

[¶127] The Greenpeace Defendants' tortious interference directly and proximately harmed Energy Transfer's business relationships. Energy Transfer's damages include lost financing, increased cost of capital, increased operating costs, lost revenue, injury to reputation, mitigation costs, and attorney's fees in an amount to be determined at trial.

COUNT VII

**CIVIL CONSPIRACY
(AGAINST ALL DEFENDANTS)**

[¶128] Energy Transfer re-alleges and incorporates every allegation in the foregoing paragraphs as if set forth in full.

[¶129] Each of the Defendants conspired with the others with respect to commit the unlawful acts set forth in Counts I through VI. Defendants shared and agreed upon the same conspiratorial objective, which was to stop construction of DAPL and harm Energy Transfer through the publication and dissemination of false statements concerning Energy Transfer and DAPL; obstruction of DAPL construction by means of trespass, vandalism, violence, property destruction, and other unlawful activity; and interference with Energy Transfer's critical business relationships.

[¶130] Defendants carried out their conspiratorial scheme by the commission of wrongful and overt acts, including publishing and disseminating numerous defamatory statements concerning Energy Transfer and DAPL; organizing, supporting, funding, and executing acts of trespass, vandalism, property destruction, and violence to obstruct construction; and interfering with Energy Transfer's business relationships.

[¶131] As a direct, proximate result of the operation and execution of the conspiracy, Energy Transfer has been injured and suffered damages in an amount to be proven at trial.

PRAYER FOR RELIEF

[¶132] WHEREFORE, Energy Transfer prays for judgment as set forth below.

- A. For actual, consequential, special, and restitution damages in an amount to be proven at trial.
- B. For pre- and post-judgment and interest as permitted by law.
- C. For such other legal and equitable relief as the Court may deem Energy Transfer is entitled to receive.

DATED this 21st day of February, 2019.

FREDRIKSON & BYRON, P.A.

By: 

Lawrence Bender, ND Bar #03908
1133 College Drive, Suite 1000
Bismarck, ND 58501-1215
Telephone: 701.221.8700
lbender@fredlaw.com

*Attorneys for Plaintiffs Energy Transfer LP
and Energy Transfer Operating, L.P.*

65960221.1

APPENDIX A
GREENPEACE FALSE STATEMENTS

30-2019-CV-00180

	Date	Author	Description	Statements
1.	3/10/2017	Greenpeace USA (Diamond Coleman)	Website Publication: Native Nations Rise: Showing Solidarity in the Movement for Indigenous Sovereignty	DAPL is a “threat to clean water” and “blatant disregard of tribal sovereignty.”
2.	3/10/2017	Greenpeace USA (Cassady Craighill)	Website Publication: In Solidarity, Greenpeace [sic] Supports Native Nations March in DC	“The Dakota Access Pipeline . . . will face unrelenting opposition because of . . . their abuses of environment and their cost to our public health. These pipelines only make billionaires richer and keep us hitched to yesterday’s energy source. Meanwhile the people closest to their impacts disproportionately pay the price of a catastrophically altered climate, unbreathable air, and undrinkable water.”
3.	3/7/2017	Greenpeace USA (Cassady Craighill)	Website Publication: Greenpeace Responds to Court’s Ruling Against Standing Rock	Condemning “the criminal Dakota Access Pipeline.”
4.	3/7/2017	Greenpeace USA (Cassady Craighill)	Website Publication: Greenpeace Responds to Court’s Ruling Against Standing Rock	DAPL “violates the sovereignty of the Standing Rock Sioux Tribe, the National Environmental Protection Act . . . and crystal clear moral imperatives that place the value of human life and the natural resources it depends upon over the interests of corporations.”
5.	2/7/2017	Greenpeace USA (Jason Schwartz)	Website Publication: NoDAPL: Greenpeace Responds to Granting of Easement	[quoting Mary Sweeters:] DAPL is a “project[] that threaten[s] Indigenous rights, clear water and air, and our climate.”
6.	2/7/2017	Greenpeace USA (Jason Schwartz)	Website Publication: NoDAPL: Greenpeace Responds to Granting of Easement	[quoting Mary Sweeters:] “The Dakota Access Pipeline poses a significant threat to the water supply of Standing Rock and to millions of other people downstream.”
7.	2/7/2017	Greenpeace USA (Jason Schwartz)	Website Publication: NoDAPL: Greenpeace Responds to Granting of Easement	[quoting Mary Sweeters:] “[DAPL’s] construction has already desecrated sacred burial grounds and other historical sites nearby.”

APPENDIX A
GREENPEACE FALSE STATEMENTS

8.	2/7/2017	Greenpeace USA (Mary Sweeters)	Website Publication: It's Time for DAPL Funders to Decide Which Side of History They Want to Be On	DAPL is "a project that violates Indigenous rights and threatens our climate"
9.	2/7/2017	Greenpeace USA (Mary Sweeters)	Website Publication: It's Time for DAPL Funders to Decide Which Side of History They Want to Be On	Funding banks are companies "that disregarded Indigenous sovereignty, threatened the water supply for millions, and sped up catastrophic climate change"
10.	2/7/2017	Greenpeace USA (Mary Sweeters)	Website Publication: It's Time for DAPL Funders to Decide Which Side of History They Want to Be On	The "original plans [for DAPL] included rerouting the pipeline from its original path near Bismarck, North Dakota over concerns about the threat of a spill to the city's water supply."
11.	2/7/2017	Greenpeace USA (Mary Sweeters)	Website Publication: It's Time for DAPL Funders to Decide Which Side of History They Want to Be On	Banks funding DAPL are "on notice for their role in supporting a project that . . . threatens our climate. . . . [F]inancial institutions funding the project have a role to play, a moral obligation, and their own policies to abide in breaking ties from this project. Unless, of course, they want to be remembered as the company that . . . sped up catastrophic climate change."
12.	2/7/2017	Greenpeace USA (Mary Sweeters)	Website Publication: It's Time for DAPL Funders to Decide Which Side of History They Want to Be On	DAPL "was rushed, lacked of proper government-to-government consultation with [SRST], and ignored the warnings of multiple government agencies."
13.	2/2/2017	BankTrack	Website Publication: ABN AMRO threatens to stop financing company behind the controversial Dakota Access Pipeline	"Private security services acting for the companies involved and the US National Guard have repeatedly used violence against the Standing Rock Sioux tribe and their supporters on the ground."
14.	1/27/2017	Greenpeace USA (Jesse Coleman)	Website Publication: Pipe Dreams: Why Trump's Dakota Access and Keystone XL Plans Don't Add Up	DAPL is a "[p]roject[] that trample[s] Indigenous treaties and rights, while endangering the lives and drinking sources of hundreds of thousands of people"

APPENDIX A
GREENPEACE FALSE STATEMENTS

15.	1/25/2017	Greenpeace USA	Tweet	“If this administration is going to fast track environmental destruction then relentless resistance will be the response. #NoDAPL #NoKXL”
16.	12/19/2016	Greenpeace USA (Perry Wheeler)	Website Publication: After Visiting Standing Rock, Swedish Bank Nordea Puts Companies Behind DAPL on Watch	[quoting Greenpeace Nordic Climate and Energy Campaigner Rolf Lindahl:] “It’s an important step that Nordea put its foot down and now has specific requirements that the oil pipeline not go through the Standing Rock Sioux Tribe’s land. It sends a clear signal to the world that the rights of indigenous peoples must be respected.”
17.	12/19/2016	Greenpeace USA (Perry Wheeler)	Website Publication: After Visiting Standing Rock, Swedish Bank Nordea Puts Companies Behind DAPL on Watch	[quoting Mary Sweeters:] “Banks should not be funding projects that violate human rights and contribute to climate change. . . . This project is a crime against Indigenous sovereignty and human rights everywhere.”
18.	12/5/2016	Greenpeace USA (Mary Sweeters)	Website Publication: 3 Things You Need to Know About the Dakota Access Pipeline Win	“[T]he Army Corps of Engineers will undertake the full environmental impact statement it should have conducted in the first place”
19.	12/2/2016	Greenpeace USA (Perry Wheeler)	Website Publication: President-Elect Trump’s Support for Dakota Access Pipeline Is Crony Capitalism at Its Worst	[quoting Mary Sweeters:] “Millions of people will lose access to a clean water supply, including the Standing Rock Sioux Tribe, and the rest of America will face the impacts of catastrophic climate change from burning fossil fuels.”
20.	12/1/2016	Greenpeace USA (Perry Wheeler)	Website Publication: Activists Worldwide Close Accounts, Demand Citibank Halt and Rescind Dakota Access Pipeline Loans	“The original permitting for the pipeline was fast tracked without adequate tribal consultation and consent or environmental review.”
21.	12/1/2016	Greenpeace USA (Perry Wheeler)	Website Publication: Activists Worldwide Close Accounts, Demand Citibank Halt and Rescind Dakota Access Pipeline	[quoting Mary Sweeters:] DAPL is a “disastrous project on behalf of a fossil fuel company willing to destroy Standing Rock’s sacred land and water supply”

APPENDIX A
GREENPEACE FALSE STATEMENTS

			Loans	
22.	12/1/2016	Greenpeace USA (Perry Wheeler)	Website Publication: Activists Worldwide Close Accounts, Demand Citibank Halt and Rescind Dakota Access Pipeline Loans	[quoting Mary Sweeters:] Citibank “has signed off on the human rights abuses we’ve seen from Energy Transfer Partners and its security team.”
23.	11/30/2016	Greenpeace Japan; 350.org Japan	Open Letter	There has been “excessive use of violence exercised on the protestors” in connection with DAPL construction.
24.	11/30/2016	Greenpeace Japan	Open Letter	“[T]his project infringes on [SRST’s] traditional territories and threatens the health of their waterways.”
25.	11/30/2016	Greenpeace Japan	Open Letter	DAPL is “likely to have a negative impact on the environment”
26.	11/30/2016	Joint letter, signed by Banktrack; Greenpeace France; Greenpeace International; Greenpeace Netherlands; Greenpeace USA	Open Letter: Halt your support to the Dakota Access Pipeline	DAPL “threatens air and water resources in the region and further downstream.”
27.	11/30/2016	Joint letter, signed by Banktrack; Greenpeace France; Greenpeace International; Greenpeace Netherlands;	Open Letter: Halt your support to the Dakota Access Pipeline	“Given that Indigenous rights are presumed to be respected by the [Equator Principles Financial Institutions], . . . it is for us inexplicable that . . . gross violations of Native land titles, threats to water sources and the desecration of burial grounds have not been identified early on as reasons for [BBVA] to not provide funding for this project.”

APPENDIX A
GREENPEACE FALSE STATEMENTS

28.	11/30/2016	Greenpeace USA Joint letter, signed by Banktrack; Greenpeace France; Greenpeace International; Greenpeace Netherlands; Greenpeace USA	Open Letter: Halt your support to the Dakota Access Pipeline	“DAPL personnel deliberately desecrated documented burial grounds and other culturally important sites.”
29.	11/30/2016	Joint letter, signed by Banktrack; Greenpeace France; Greenpeace International; Greenpeace Netherlands; Greenpeace USA	Open Letter: Halt your support to the Dakota Access Pipeline	Accusing Energy Transfer “grievous human rights violations against water protectors,” through the use of “military equipment, tactics and weapons to intimidate, assault, [and] arrest,” including “[i]ndiscriminate use of attack dogs, rubber bullets, concussion grenades, tazers and mace,” and attacks on protestors with “water cannons used in sub-zero temperatures leading to life threatening situations”
30.	11/30/2016	Joint letter, signed by Banktrack; Greenpeace France; Greenpeace International; Greenpeace Netherlands; Greenpeace USA	Open Letter: Halt your support to the Dakota Access Pipeline	Stating that DAPL’s “pipeline trajectory is cutting through Native American sacred territories and unceded Treaty lands,”
31.	11/27/2016	Greenpeace USA	Tweet	“NOW: 100s gather to demand @TheJusticeDept intervenes & stops the violence used against #StandingRock water protectors. #NoDAPL”

APPENDIX A
GREENPEACE FALSE STATEMENTS

32.	11/25/2016	Greenpeace USA	Website Publication: Another Major Norwegian Investor Divests From Companies Behind Dakota Access Pipeline	[quoting Mary Sweeters:] “The financial institutions behind the pipeline are realizing that it is bad business to invest in companies willing to disregard Indigenous sovereignty to destroy sacred Native lands and water supply”
33.	11/25/2016	Greenpeace USA	Website Publication: Another Major Norwegian Investor Divests From Companies Behind Dakota Access Pipeline	[quoting Mary Sweeters:] “If [banks] continue to allow human rights abuses to occur on their dollar, despite their own policies against financing projects that violate Indigenous rights, we intend to bring a strong message to their doorsteps across the country.”
34.	11/24/2016	Greenpeace USA	Tweet	“As you enjoy this day with your family, don't forget that Indigenous people are still under attack. #NoDAPL http://huff.to/2gmUqpi ”
35.	11/21/2016	Greenpeace USA (Annie Leonard)	Tweet	“Militarized response to peaceful protest and indigenous rights is indefensible. #NoDAPL #StandingWithStandingRock #WaterIsLife”
36.	11/21/2016	Greenpeace USA (Perry Wheeler)	Website Publication: Young Women Shut Down TD Bank, Call for Divestment of the Dakota Access Pipeline	“[P]eaceful, nonviolent encampment on Standing Rock Sioux Tribal land in the path of the pipeline [and] Water Protectors . . . have been met with extreme violence, such as the use of water cannons, pepper spray, concussion grenades, tasers, LRADs (Long Range Acoustic Devices), and dogs, from local and national law enforcement, and Energy Transfer Partners and their private security.”
37.	11/21/2016	Greenpeace USA (Perry Wheeler)	Website Publication: Young Women Shut Down TD Bank, Call for Divestment of the Dakota Access Pipeline	DAPL “poses a significant threat to the water supply of the Standing Rock Sioux and millions of other people downstream, and would desecrate sacred burial grounds, religious, and other historical sites.”
38.	11/21/2016	Greenpeace USA (Perry Wheeler)	Website Publication: Young Women Shut Down TD Bank,	“The pipeline violates . . . the Treaty of Fort Laramie of 1851.”

APPENDIX A
GREENPEACE FALSE STATEMENTS

			Call for Divestment of the Dakota Access Pipeline	
39.	11/21/2016	Greenpeace USA (Perry Wheeler)	Website Publication: Young Women Shut Down TD Bank, Call for Divestment of the Dakota Access Pipeline	“We’re here to tell TD Bank that destroying indigenous land and poisoning the water of thousands of people is bad for business.”
40.	11/18/2016	Greenpeace USA (Perry Wheeler)	Website Publication: Largest Bank In Norway Sells Its Assets In Dakota Access	“All financial institutions with a stake in the pipeline must quickly realize that financing this project is toxic. It would be smart for them to get out ahead of the growing movement of customers looking to divest from banks that finance the destruction of our planet and ignore Indigenous rights and sovereignty.”
41.	11/18/2016	Greenpeace USA (Brian Johnson)	Website Publication: Exxon Just Reminded Us Why Fossil Fuels are On The Way Out	“For months, the Standing Rock Sioux have been resisting the construction of a pipeline through their tribal land and waters that would carry oil from North Dakota’s fracking fields to Illinois.”
42.	11/16/2016	Greenpeace USA (Ryan Schleeter)	Website Publication: #NoDAPL Day of Action Draws Tens of Thousands, Lights Up Social Media	“Dakota Access Pipeline . . . directly threaten[s] the sacred lands and water source of the Standing Rock Sioux Tribe . . .”
43.	11/16/2016	Greenpeace USA (Ryan Schleeter)	Website Publication: #NoDAPL Day of Action Draws Tens of Thousands, Lights Up Social Media	“For months, the Standing Rock Sioux and allies have been peacefully protesting the crude oil pipeline, but have been met with aggression and violence from Dakota Access private security and construction crews.”
44.	11/15/2016	Greenpeace USA	Tweet	“Peaceful Water Protectors at Standing Rock have been met with violence from private security & construction crews. We stay for them. #NoDAPL”
45.	11/14/2016	Greenpeace USA (Perry Wheeler)	Website Publication: Greenpeace Responds to Army Corps’ Decision to Engage Standing Rock Sioux Tribe on	“[N]o matter where this disaster of a project crosses the Missouri River, it will jeopardize precious water supply downstream.” (quoting GP spokesperson Lilian Molina)

APPENDIX A
GREENPEACE FALSE STATEMENTS

			Dakota Access Pipeline	
46.	11/14/2016	Greenpeace USA (Perry Wheeler)	Website Greenpeace Responds to Army Corps' Decision to Engage Standing Rock Sioux Tribe on Dakota Access Pipeline	"It is abundantly clear that the tribe was not adequately consulted in the permitting process"
47.	11/14/2016	Greenpeace USA (Perry Wheeler)	Website Greenpeace Responds to Army Corps' Decision to Engage Standing Rock Sioux Tribe on Dakota Access Pipeline	There is a "need to respect the Tribe's rights and sovereignty moving forward. The previous decision to reroute the pipeline from Bismarck, a city that is mostly white, to just north of Standing Rock is a clear case of environmental racism." (quoting GP spokesperson Lilian Molina)
48.	11/7/2016	Joint letter, signed by Greenpeace, Banktrack	Letter to consortium of banks financing DAPL	DAPL "threatens air and water resources in the region and further downstream Given the presumed Indigenous rights commitments of [banks], it is for us inexplicable that . . . threats to water sources . . . have not been identified early on as reasons for EPFIs to not provide funding for this project."
49.	11/7/2016	Joint letter, signed by Greenpeace USA and Banktrack	Letter to consortium of banks financing DAPL	DAPL is a "climate destroying project."
50.	11/7/2016	Joint letter, signed by Greenpeace USA and Banktrack	Letter to consortium of banks financing DAPL	"[T]he pipeline trajectory is cutting through Native American sacred territories and unceded Treaty lands"
51.	11/7/2016	Joint letter, signed by Greenpeace USA and Banktrack	Letter to consortium of banks financing DAPL	"Harm to Native areas ha[d] already occurred when DAPL personnel deliberately desecrated documented burial grounds and other culturally important sites."

APPENDIX A
GREENPEACE FALSE STATEMENTS

52.	11/4/2016	Greenpeace USA (Perry Wheeler)	Website Greenpeace Calls on President Obama to Take Immediate Action for Standing Rock Water Protectors	Publication: Greenpeace Calls on President Obama to Take Immediate Action for Standing Rock Water Protectors	“Yesterday over 100 Indigenous people, allies, and journalists were hurt on sacred Native land during a peaceful prayer action.”
53.	11/4/2016	Greenpeace USA (Perry Wheeler)	Website Greenpeace Calls on President Obama to Take Immediate Action for Standing Rock Water Protectors	Publication: Greenpeace Calls on President Obama to Take Immediate Action for Standing Rock Water Protectors	“The water protectors who were attacked were peaceful and non-provocative toward the police who have continued to force Native communities off their own land.”
54.	11/4/2016	Greenpeace USA (Perry Wheeler)	Website Greenpeace Calls on President Obama to Take Immediate Action for Standing Rock Water Protectors	Publication: Greenpeace Calls on President Obama to Take Immediate Action for Standing Rock Water Protectors	The “government has unjustly restricted Indigenous communities’ rights and ability to access their own land, repeatedly ignoring Native sovereignty.”
55.	11/4/2016	Greenpeace USA (Perry Wheeler)	Website Greenpeace Calls on President Obama to Take Immediate Action for Standing Rock Water Protectors	Publication: Greenpeace Calls on President Obama to Take Immediate Action for Standing Rock Water Protectors	“Native lives are under attack and sacred land and water supply is at stake.”
56.	11/4/2016	Greenpeace USA (Perry Wheeler)	Website Greenpeace Calls on President Obama to Take Immediate Action for Standing Rock Water Protectors	Publication: Greenpeace Calls on President Obama to Take Immediate Action for Standing Rock Water Protectors	“[T]his . . . pipeline[] pose[s] immediate threats to our land, water, and climate.”
57.	11/4/2016	Greenpeace USA (Mary Sweeters)	Tweet		“Re-routing Dakota Access Pipeline Won’t Make it Less Dangerous to the Environment or Climate http://therealnews.com/t2/index.php?option=com_content&task=view&id=31&Itemid=74&jumival=17574#.WByyDJltzaA.twitter ... #NoDAPL ”
58.	11/4/2016	Greenpeace USA	Tweet		“Re-routing Dakota Access pipeline won’t make it less dangerous to the environment or our climate! #NoDAPL http://bit.ly/2fj1XkI ”

APPENDIX A
GREENPEACE FALSE STATEMENTS

59.	11/2/2016	Greenpeace USA (Perry Wheeler)	Website Publication: There Are No Safe Options for 'Rerouting' the Dakota Access Pipeline	DAPL is "devastating to Native communities and lands"; "Indigenous lives are under attack."
60.	10/28/2016	Greenpeace USA	Website Publication: How You Can Show Your Solidarity in the Fight Against the Dakota Access Pipeline	"[W]e're taking back our power and charging the pipeline companies, banks, and individuals behind this project with crimes against humanity and crimes against Mother Earth."
61.	10/28/2016	Greenpeace USA	Website Publication: How You Can Show Your Solidarity in the Fight Against the Dakota Access Pipeline	"The Dakota Access Pipeline is in direct violation of the United Nations' Declaration on the Rights of Indigenous Peoples, particularly with regard to the right to free and prior informed consent, desecration, redress, militarization, development, treaties, and judicial proceedings . . . [and] the United Nations' Declaration of Universal Human Rights, especially with respect to the right to security of person and the right to not be subjected to torture or to cruel, inhuman, or degrading treatment or punishment."
62.	10/4/2016	Greenpeace USA	Website Publication: In Case You Were Wondering, Donald Trump Has Multiple Ties to the Dakota Access Pipeline	DAPL is "a project that tramples Indigenous rights and pushes us closer to climate disaster"
63.	9/24/2016	Greenpeace USA (Peter Dakota Molof)	Website Publication: "These Are Our Prayers in Action" -- A look at Life in the #NoDAPL Resistance Camps	DAPL is being built by a "wealthy corporation [that] has attempted to sacrifice the water and well-being of Indigenous people for profit."
64.	9/16/2016	Greenpeace USA	Website Publication: Supply Drives for the Red Warrior and Sacred Stone Camps	"Dakota Access Pipeline . . . will carry more than 400,000 barrels of crude oil a day across [SRST's] ancestral lands . . ."
65.	9/9/2016	Greenpeace USA (Rachel Prokop)	Website Publication: How You Can Help Standing Rock Activists Stop the Dakota Access Pipeline	Protesters are resisting "construction of a crude oil pipeline [DAPL] on ancestral lands . . ."

APPENDIX A
GREENPEACE FALSE STATEMENTS

66.	9/9/2016	Greenpeace USA (Rachel Prokop)	Website Publication: How You Can Help Standing Rock Activists Stop the Dakota Access Pipeline	“[C]onstruction crews have reacted with aggression and violence”
67.	9/9/2016	Greenpeace USA (Rachel Prokop)	Website Publication: How You Can Help Standing Rock Activists Stop the Dakota Access Pipeline	“[P]rivate security forces set dogs and pepper spray upon a crowd that included young children, injuring 30 activists”
68.	9/9/2016	Greenpeace USA (Rachel Prokop)	Website Publication: How You Can Help Standing Rock Activists Stop the Dakota Access Pipeline	“The pipeline was approved without adequate environmental reviews or consultation from the community”
69.	9/9/2016	Greenpeace USA (Rachel Prokop)	Website Publication: How You Can Help Standing Rock Activists Stop the Dakota Access Pipeline	DAPL “would carry more than 400,000 barrels of crude oil a day across [SRST’s] ancestral lands”
70.	8/30/2016	Greenpeace USA	Tweet	“We have rights, and one of those rights is the right to clean water.” #NoDAPL #WaterIsLife”
71.	8/25/2016	Greenpeace	Letter: Halt Construction and Repeal the Army Corps of Engineers Permits for the Dakota Access Pipeline Project	“This pipeline would travel through the Standing Rock Sioux Tribe’s ancestral lands and pass within half a mile of its current reservation.”
72.	8/25/2016	Greenpeace	Letter: Halt Construction and Repeal the Army Corps of Engineers Permits for the Dakota Access Pipeline Project	“The pipeline poses significant threats to the environment, public health, and tribal and human rights.”
73.	Undated	Greenpeace USA (Perry Wheeler)	Website Publication: Indigenous Youth Travel From Standing Rock to Clinton Headquarters to Demand Answers on Dakota Access Pipeline	“[T]he 1,100-mile pipeline [] threatens sacred Indigenous land and water supply.”

APPENDIX A
GREENPEACE FALSE STATEMENTS

74.	Undated	Greenpeace USA (Perry Wheeler)	Website Publication: Indigenous Youth Travel From Standing Rock to Clinton Headquarters to Demand Answers on Dakota Access Pipeline	DAPL “plac[es] serious risk to the nation's water supply”
75.	Undated	Greenpeace USA (Perry Wheeler)	Website Publication: Indigenous Youth Travel From Standing Rock to Clinton Headquarters to Demand Answers on Dakota Access Pipeline	“[DAPL] is a direct violation of the sovereign rights and culture of [SRST].”
76.	Undated	Greenpeace USA (Perry Wheeler)	Website Publication: Indigenous Youth Travel From Standing Rock to Clinton Headquarters to Demand Answers on Dakota Access Pipeline	DAPL is “violating federal trust responsibilities guaranteed through treaties with the Dakota, Lakota, and Nakota tribes, and desecrating burial and other historical sites.”
77.	Undated	Greenpeace USA (Perry Wheeler)	Website Publication: Greenpeace Statement of Solidarity With Standing Rock Water Protectors	DAPL is in “direct violation of the sovereign rights and culture of [SRST], placing serious risk to the nation's water supply, violating federal trust responsibilities guaranteed through treaties with the Dakota, Lakota, and Nakota tribes, and desecrating sacred burial, religious, and other historical sites.”
78.	Undated	Greenpeace USA (Perry Wheeler)	Website Publication: Activists Worldwide Close Accounts, Demand Citibank Halt and Rescind Dakota Access Pipeline Loans	Energy Transfer is “willing to destroy Standing Rock’s sacred land and water supply” (quoting Greenpeace USA’s Mary Sweeters)
79.	Undated	Greenpeace USA (Perry Wheeler)	Website Publication: Activists Worldwide Close Accounts, Demand Citibank Halt and Rescind Dakota Access Pipeline Loans	Funding banks “signed off on the human rights abuses we’ve seen from Energy Transfer Partners and its security team.”

APPENDIX A
GREENPEACE FALSE STATEMENTS

80.	Undated	Greenpeace USA (Perry Wheeler)	Website Publication: Activists Worldwide Close Accounts, Demand Citibank Halt and Rescind Dakota Access Pipeline Loans	DAPL was “fast tracked without adequate tribal consultation and consent or environmental review.”
81.	Undated	BankTrack	Website Publication: Dakota Access Pipeline: Overview	DAPL “crosses Native American sacred sites and threatens drinking water at the Standing Rock Sioux reservation.”
82.	Undated	BankTrack	Website Publication: Dakota Access Pipeline: Overview	“Native water protectors at the prayer and resistance camp have been brutally confronted by law enforcement and private security forces. Indiscriminate use of attack dogs, rubber bullets, concussion grenades, tazers and mace are reported”

65968831.1

2/14/2019

The Financial Powers Behind the Dakota Access Pipeline Must Be Confronted

EXHIBIT 1



SUBSCRIBE

DONATE

Case No. 30-2019-CV-00180*Published on Wednesday, October 12, 2016 by Common Dreams*

The Financial Powers Behind the Dakota Access Pipeline Must Be Confronted

A look into the banks and energy companies behind the Dakota Access Pipeline

by Krystal Two Bulls, Scott Parkin, Patrick Young

9 Comments



The DAPL (Dakota Access Pipeline) being installed between farms, as seen from 50th Avenue in New Salem, North Dakota. (Photo: Tony Webster/flickr/cc)

The "Dakota Access" Pipeline (DAPL) is a \$3.8 billion, 1,100 mile fracked-oil pipeline that is currently under construction running from the Bakken shale fields of North Dakota to Peoria, Illinois. DAPL is slated to cross Lakota Treaty Territory at the Standing Rock Sioux Reservation where it would be laid underneath the Missouri River, the longest river on the continent.

Construction of DAPL would impact many sites that are sacred to the Standing Rock Sioux and numerous other indigenous nations. DAPL would also, engender a renewed fracking-frenzy in the Bakken shale region, as well as endanger a source of fresh water for the Standing Rock Sioux and 8 million people living downstream.

This massive infrastructure project is being built and financed by a complex network of dozens of shady oil companies and banks with presences all over the world. Research into the pipeline's ownership shows us that [virtually every major bank in the world is financially connected to the companies involved in the project](#) and numerous oil and gas companies will have ownership interests in the project. But who is driving the construction of the pipeline, and more importantly who has the power to stop the Dakota Access Pipeline?

The Ownership Interest

The Dakota Access Pipeline project is owned by a [convoluted network](#) of oil and pipeline companies, joint ventures, and holding companies. Dallas-based Energy Transfer Partners and its wholly-owned subsidiary Sunoco Logistics (ETP/SLX) currently own 38.25% of the pipeline; MarEn Bakken Company LLC, a joint venture between Enbridge Energy Partners and Marathon Petroleum Company owns 36.75% of the pipeline (ultimately Enbridge and Marathon hold 27.6% and 9.1% ownership interests in the pipeline); and a subsidiary of Phillips 66 owns the remaining 25% of the project.



SUBSCRIBE

DONATE

Logistics would take over as the operator of the pipeline.

shell out the \$3.8 billion needed to build the pipeline on their own."

As the company with, by far, the largest ownership interest and the company overseeing the construction and the theoretical operation of the pipeline Energy Transfer Partners is clearly responsible for driving this destructive project and the player in the best position to bring it to a halt.

Energy Transfer Partners is itself a complicated company. It's actually three different companies—Energy Transfer Partners, Energy Transfer Equity, and Sunoco Logistics—that are controlled by a single general partnership company. While it is publicly traded it is relatively tightly held and controlled by a small group of key investors led by the flamboyant billionaire Kelcy Warren. In addition to his love of making money and destroying the earth Warren also owns a record label, Music Road Records, and he fancies himself as a major philanthropist. He's a regular at the major gala dinners around his hometown of Dallas, TX and he even paid \$10 million to name a park in downtown Dallas after his son Klyde.

The Money Behind the Pipeline

The oil companies behind the pipeline are rich, but they aren't rich enough to shell out the \$3.8 billion needed to build the pipeline on their own. While each of the companies involved holds lines of credit with numerous banks and financial institutions, the money that is ear-marked specifically for the project is a \$2.5 billion project finance loan.

The loan, which closed on August 2, 2016 was coordinated by Citibank along with the Bank of Tokyo-Mitsubishi, Mizuho Bank and TD Securities. The interesting piece of this loan is that under the credit agreement the borrowers could only access \$1.1 billion immediately. The other \$1.4 billion would not become available until the pipeline received the appropriate permits.

As of the closing of the loan agreement \$860.7 million of that original \$1.1 billion had already been borrowed. If Citibank, the Bank of Tokyo-Mitsubishi, Mizuho Bank and TD Securities were to hold back remaining \$1.4 billion the cash for the pipeline could dry up and the project could come grinding to a potentially permanent halt.

Protected by an Army for Hire

One additional company in this web of corporate greed deserves a dishonorable mention. G4S, a UK-based security multinational is providing armed mercenaries to harass and brutalize defenders of the water in North Dakota. This isn't G4S' first foray into human rights abuses. The company is the target of a years-long global campaign for its role in profiting from the inhumane treatment of Palestinians in Israeli prisons and the torture of children.

Water protectors in the Red Warrior Camp and the Camp of the Sacred Stone have been subjected to chemical weapons, arrest, dog attacks and other mistreatment at the hands of private security guards and law enforcement. While removing G4S from their posts in North Dakota would do little to slow the destruction, shining a spotlight on these hired goons could help to keep them in check and help to keep the water defenders safer.

Taking Action to Cut Off the Power Behind the Pipeline

As Utah Phillips once famously said, "the earth is not dying, it is being killed, and those who are killing it have names and addresses." With virtually every single major bank in the world and a gaggle of oil and gas companies standing to rake in huge profits off this destructive and irresponsible project there are simply too many names to name and addresses to list. But we do know where the power behind the pipeline is.

Of the four banks most involved in underwriting the project finance agreement—and the four banks that have the authority to yank the second half of the loan out from under this project—two have a major presence in North America: Citibank and TD Bank. Their customers need to know what these banks are up to and their executives need to know that we'll disrupt business as usual until they stop the pipeline.

"The earth is not dying, it is being killed, and those who are killing it have names and addresses." —Utah Phillips

Energy Transfer Partners, the main driver behind the construction of the pipeline, is unlikely to recognize the error in its ways and stop this reckless project. But until funding is pulled, both ETP and its flamboyant CEO Kelcy Warren need to be isolated and marginalized. Warren shouldn't be able to host concerts with his record label, Music Road Records, attend



Hundreds of institutions and individuals are involved in financing, permitting, and building the Dakota Access Pipeline and they are each culpable in the destruction of sites that are sacred to the Standing Rock Sioux and numerous other indigenous nations. But Citibank, TD Bank and Kelcy Warren have the power to stop the pipeline and they are within our movements' reach. Water protectors are taking bold and inspiring action in North Dakota and Iowa to put their bodies on the line to stop the pipeline; NGO's and lawyers are battling the permits and approvals in courts and the halls of Congress. But we can continue to extend this fight across the continent and around the world by cutting off the power behind the pipeline.

Tapping into the New Currency: Direct Action

In early September, the Red Warrior Camp in partnership with the Camp of the Sacred Stones issued a call to action that stated: "Water is a necessity for all life. Water is life. Now is the time for all people from all walks of life to join together to stop the desecration and destruction of water, land and life!"

Around the globe, tapping into a "currency of moods" through these weeks of action, we saw disruptions at corporate events, vigils, protests, civil disobediences and constant digital and media communications. Rising Tide North America, the FANG collective and many other groups organized an effort that saw over one hundred actions and events in this two week period.

- In Dallas, TX, at the headquarters of Energy Transfer Partners in a bold night time action, "Anti-colonialists Against Billionaires" locked the building's parking garage doors shut with U-locks and left a banner saying "Kelcey Warren is an Asshole. Solidarity with the Standing Rock Sioux Tribe. No DAPL"
- In Philadelphia, the city's #NoDAPL Solidarity organizers put together a "tour of shame" that marched hundreds through the streets and shut down at least five TD Securities branches with non-violent direct action.
- In Vermont, over fifty people occupied a Michels construction site building another pipeline locally.
- In Pittsburgh, more than one hundred people shut down Liberty Avenue, a major thoroughfare, in front of the offices of the Army Corps of Engineers during a busy afternoon rush hour.

Solidarity with the fight against the Dakota Access Pipeline to a larger and larger scale was an important goal in September. People regularly put their bodies on the line in North Dakota to stop the pipeline, the call to action was for allies with privilege to do the same.

Lessons Moving Forward

Important ongoing lessons moving forward in the fight against the Dakota Access Pipeline and other fossil fuel infrastructure projects include:

- **Fight in solidarity with Indigenous communities and other frontline communities.** As stated above, the September actions were a call for allies to take action and escalate in support of Indigenous rights and stopping the Dakota Access Pipeline. The oil and coal barons of the world seek to exploit land and people. They regularly use race and class to divide and further their interests. Allies must take action and fight in solidarity with Indigenous and other frontline communities.
- **Revoke the social and political license of carbon intensive industries to operate in the political economy.** Oil companies own the U.S. political system and are major players in every part of the economy. Furthermore, the inevitability of the fossil fuel industry is a too accepted part our culture. That narrative must change. Aggressive campaigns targeting companies, CEOs, pro-industry pundits and thought-leaders is the key.
- **Make militant direct action the organizing strategy, not just a tool in the toolbox.** Big Green groups describe non-violent direct action as just one "tool in a toolbox." Movements around the world use confrontational action as a strategy, not just as a tactic. Militant movements in Serbia ousted Milosevic, in Bolivia booted out Bechtel, and in Seattle shut down the World Trade Organization (WTO) and sent it into a tailspin. Militant direct action is a strategy we use to build real movements, change power dynamics, shift societies and even remove governments. Fighting oil companies, banks and pipelines, it creates a crisis in the business model.
- **The Democratic Party is not our friend.** Despite green groups like the Sierra Club and the Natural Resources Defense Center praising President Obama as a "climate hero" and framing their strategies in 2016 around preserving his "climate legacy," the industry-friendly policies on both the Dakota Access Pipeline and numerous other fossil fuel infrastructure projects remain decidedly unfriendly to the climate and communities impacted by them. Obama's "All Of The Above" energy policy coupled with the FBI surveilling organizers, but refusing to investigate private security

2/14/2019

The Financial Powers Behind the Dakota Access Pipeline Must Be Confronted



SUBSCRIBE

DONATE

➤ **Fight capitalism and corporate power.** A systemic critique of the existing economic system is required to delegitimize fossil fuels. This movement has its roots in anti-globalization, anti-austerity and Occupy movements. Portion of it have incorporated this critique into a vision for a better world. "Like corporate globalization, climate and related ecological crisis affects everyone, everywhere, so gives us an amazing opportunity to organize across the many things that keep us divided and ruled" reflects veteran street organizer David Solnit. "The challenge is to define the climate crisis deeply in a way that understands that it is rooted in an economic and political system that is hardwired to be anti-democratic and exploit the earth and people for profit."

This work is licensed under a Creative Commons Attribution-Share Alike 3.0 License

This is the world we live in. This is the world we cover.

Because of people like you, another world is possible. There are many battles to be won, but we will battle them together—all of us. **Common Dreams is not your normal news site. We don't survive on clicks. We don't want advertising dollars. We want the world to be a better place.** But we can't do it alone. It doesn't work that way. We need you. If you can help today—because every gift of every size matters—please do.

\$15

\$27

\$50

\$100

\$250

Other



Krystal Two Bulls is a leader and media coordinator at the Red Warrior Camp protesting the Dakota Access Pipeline. Follow her on Twitter: @lakota_rain8



Scott Parkin is a climate organizer working with Rainforest Action Network and Rising Tide North America. Follow him on Twitter: @sparki1969



Patrick Young is an climate organizer with Rising Tide North America. Follow him on Twitter: @patrickjyoung

Share This Article

Related Articles



Youth Movements Changing Tactics in the Face of Climate Crisis



This Is What Dem Leadership Looks Like: Minnesota Gov. Praised for Backing Fight Against Line 3 Tar Sands Pipeline



'Anything Is Possible,' Declares Ocasio-Cortez After Defeat of 'Amazon's Corporate Greed' in New York



Jayapal Says Medicare for All Bill Coming in Two Weeks as Expert Calls Plan 'Astonishingly Strong'

2/14/2019

The Financial Powers Behind the Dakota Access Pipeline Must Be Confronted



SUBSCRIBE

DONATE

Top Comments

(Click to see more comments or to join the conversation)

NEVER MISS A BEAT

Get our best delivered to your inbox.

Your email

SIGN UP

Today's Views



Diane Archer
To Be Crystal Clear: 'Medicare for All' Does Not Mean 'Medicare for Some'...



Evan Greer
More Border Surveillance Tech Could Be Worse for Human Rights Than a Wall



Jared Bernstein
Progressives Need to Ignore the Noise and Stay Ambitious



Heather Gautney
Bernie Sanders Wants to Expand Social Security



Hana Sarfan
35 Days Without Pay Show How Precarious Federal Jobs Have Become



Kali Holloway
If Northam Wants to Do Better on Racism, Standing Against Confederate Monuments Is an Easy First Step



Julie Ebenstein
New Hampshire Law Illegally Targets Young Voters Ahead of 2020 Primary



John Feffer
The Psychology of the Wall

Kevin Gosztola
Elliott Abrams Melts Down As Muslim Congresswoman Questions Role In Crimes Against Humanity

2/14/2019

The Financial Powers Behind the Dakota Access Pipeline Must Be Confronted



SUBSCRIBE

DONATE



Naomi Klein

The Battle Lines Have Been Drawn on the Green New Deal



Sarah Anderson

If You Hate Campaign Season, Blame Money in Politics



Tracey L. Rogers

Freedom for All Begins With Freedom for the Most Marginalized

[➤ More Views](#)

Connect With Us



News That Matters



Amid Alarm Over National Emergency Declaration, Border Deal Denounced as 'Betrayal of Immigrant Communities'



'Constitutionally Illegitimate': McConnell Confirms Trump Will Declare National Emergency to Build Wall



Following Three-Day Strike, Denver Teachers Score Latest Victory in Nationwide #RedForEd Movement



Jayapal Says Medicare for All Bill Coming in Two Weeks as Expert Calls Plan 'Astonishingly Strong'



Cuba Warns US Moving Special Forces Closer to Venezuela Under Guise of 'Humanitarian Intervention'



'Anything is Possible,' Declares Ocasio-Cortez After Defeat of 'Amazon's Corporate Greed' in New York



Unhinged Mike Pence Warns of 'New Holocaust' as Team Trump Tries to Rally EU Leaders for War With Iran



Analysis Shows Exposure to Monsanto's Glyphosate-Based Roundup Increases Cancer Risk by More Than 40%



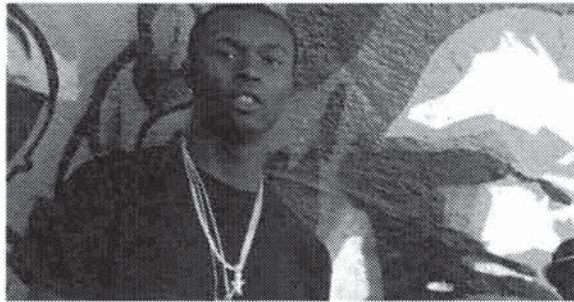
'No One Should Be Surprised': After Long Career Stiffing Workers, Trump Blocks Back Pay for Federal Contractors

One Year After Parkland Massacre, Student-Led Movement Celebrated for Renewed Progress on Gun Control Legislation

[SUBSCRIBE](#)[DONATE](#)[➤ More News](#)

Further

Another One: Falling Asleep In Your Car Outside Taco Bell While Black



Yeah, it's still happening. It took six Vallejo, CA. cops firing "multiple rounds" to kill Willie McCoy, a 20-year-old rapper who fell asleep in his car with a gun in his lap, woke up and was evidently too startled to follow commands to raise his hands, thus causing all six cops to "fear for their own safety." Vallejo has a history of "killing us in the street," says McCoy's cousin and manager David Harrison. "It looks like my baby cousin was executed by a firing squad."

[Read More...](#)

[➤ More Further](#)

About Common Dreams

Our Mission:

To inform. To inspire.

To ignite change for the common good.

Common Dreams has been providing breaking news & views for the progressive community since 1997. We are independent, non-profit, advertising-free and 100% reader supported.

- [About Common Dreams](#)
- [Testimonials](#)
- [Key Staff](#)
- [Writers' Guidelines](#)
- [The Commons - Community Guidelines](#)
- [Privacy Policy](#)
- [Jobs](#)

Contact Us

📍 Common Dreams
P.O. Box 443
Portland, ME 04112-0443
USA

✉ via Email:

- [Editor](#)
- [News Tips?](#)
- [Corrections?](#)
- [Views Submissions](#)
- [News Release Submissions](#)
- [Webmaster / General Info](#)

2/14/2019

The Financial Powers Behind the Dakota Access Pipeline Must Be Confronted



SUBSCRIBE

DONATE

Common Dreams brings you the news that matters.

SUPPORT Common Dreams

Sign up for Newsletter

[Click to Sign Up](#)

Connect With Us



© 2018 Common Dreams

2/14/2019

How You Can Show Your Solidarity in the Fight Against the Dakota Access Pipeline

Greenpeace USA

EXHIBIT 2

Case No. 30-2019-CV-00180

- [What We're Doing](#) ▾



Power the resistance with a gift to Greenpeace.

[donate](#)

- [Saving the Arctic](#)
- [Protecting Forests](#)
- [Fighting Global Warming](#)
- [Protecting Our Oceans](#)
- [Living Toxic-Free](#)
- [Promoting Sustainable Food](#)
- [Defending Democracy](#)

Close X

- [How It Works](#) ▾



Protect Our Oceans, Not Oil Profits

[Take Action](#)

- [Investigate](#)
- [Connect](#)
- [Act](#)

Close X

- [Get Involved](#) ▾



2/14/2019

How You Can Show Your Solidarity in the Fight Against the Dakota Access Pipeline

Say NO to Offshore DrillingTake Action

- [Donate](#)
- [Volunteer](#)
- [Membership FAQ](#)
- [Take Action](#)
- [Careers](#)
- [Internships](#)
- [Frontline](#)

Close X

Give to Greenpeace

\$25

Monthly ▾

give

- [facebook](#)
- [Twitter](#)
- [YouTube](#)
- [Instagram](#)

Global ▾

[Donate](#)

≡Menu

- [About](#)
- [Stories & Victories](#)
- [News & Media](#)
- [Research](#)
- [Blog](#)
- [Contact](#)

Search

Q Search icon

- [What We're Doing ▾](#)
 - [Saving the Arctic ▾](#)
 - [Issues & Threats ▾](#)
 - [Global Warming](#)
 - [Oil Drilling](#)
 - [Stopping Offshore Drilling](#)
 - [Creating an Arctic Sanctuary](#)
 - [Protecting Forests ▾](#)
 - [Issues & Threats ▾](#)
 - [Agribusiness](#)
 - [Illegal Logging](#)
 - [Solutions to Deforestation](#)
 - [Amazon](#)
 - [Boreal Forest](#)
 - [Congo Basin](#)
 - [Great Bear Rainforest](#)
 - [Indonesia](#)
 - [Our Voices Are Vital](#)
 - [Fighting Global Warming ▾](#)
 - [Energy Issues ▾](#)
 - [Coal](#)
 - [Oil](#)
 - [Fracking ▾](#)
 - [Natural Gas](#)
 - [Nuclear Energy](#)
 - [100% Renewable Energy](#)
 - [Keep It in the Ground](#)
 - [#ExxonKnew ▾](#)
 - [Infographic: Exxon's Long History of Climate Denial](#)
 - [Exposing Climate Deniers ▾](#)
 - [PolluterWatch Site](#)
 - [Koch Industries](#)
 - [Koch-funded Climate Denial Front Groups](#)
 - [David H. Koch](#)
 - [Charles G. Koch](#)
 - [Bill Koch](#)
 - [Click Clean](#)
 - [Climate Science ▾](#)
 - [Extreme Weather & Climate Change](#)
 - [Greenpeace v. Energy Transfer Partners: The Facts](#)

2/14/2019

How You Can Show Your Solidarity in the Fight Against the Dakota Access Pipeline

- [Protecting Our Oceans](#) ▾
 - [Issues & Threats](#) ▾
 - [Overfishing & Destructive Fishing](#)
 - [Commercial Whaling](#)
 - [Human Rights](#)
 - [Pollution & Climate Change](#)
 - [Ocean Wildlife Facts](#)
 - [Save the Whales](#) ▾
 - [Threats: Commercial Whaling](#)
 - [Whale Facts](#)
 - [International Whaling Commission](#)
 - [Whaling Myths](#)
 - [Seismic & Sonar Testing](#)
 - [Sustainable Seafood](#) ▾
 - [Tuna Shopping Guide](#)
 - [Sustainable Seafood Hub](#)
 - [Marine Reserves Now](#)
 - [Preventing Plastic Pollution](#) ▾
 - [Key Facts About Plastic Pollution](#)
 - [Plastic Pollution FAQs](#)
- [Living Toxic-Free](#) ▾
 - [Issues & Threats](#) ▾
 - [Chemical Disasters](#)
 - [Industrial Pollution](#)
 - [Preventing Chemical Disasters](#)
 - [Green Electronics](#)
 - [Go PVC-Free](#)
- [Promoting Sustainable Food](#) ▾
 - [Issues & Threats](#) ▾
 - [Corporate Control](#)
 - [GMOs & Pesticides](#)
 - [More Meat](#)
 - [Support Small Farmers](#)
 - [An Eco-Farming Revolution](#) ▾
 - [Say No to Industrial Agriculture](#)
 - [Buy Fresh Food](#)
 - [Eat More Plants](#)
 - [12 Things You Can Do](#)
 - [Bees in Crisis](#)
- [Defending Democracy](#) ▾
 - [Issues & Threats](#) ▾
 - [Money in Politics](#)
 - [Voting Rights](#)
 - [Kick Corporate Money Out of Politics](#)
 - [The Democracy Initiative](#)
- [How It Works](#) ▾
 - [Investigate](#)
 - [Connect](#)
 - [Act](#)
- [Get Involved](#) ▾
 - [Donate](#)
 - [Volunteer](#)
 - [Membership FAQ](#)
 - [Take Action](#)
 - [Careers](#)
 - [Internships](#)
 - [Frontline](#)

- [About](#)
- [Stories & Victories](#)
- [News & Media](#)
- [Research](#)
- [Blog](#)
- [Contact](#)

Search

QSearch icon

Global ▾

- [ffacebook](#)
- [tTwitter](#)
- [mYouTube](#)
- [iInstagram](#)

[Home](#) > [Posts](#) > [How You Can Show Your Solidarity in the Fight Against the Dakota Access Pipeline](#)
[< Back to Post](#)

2/14/2019

How You Can Show Your Solidarity in the Fight Against the Dakota Access Pipeline

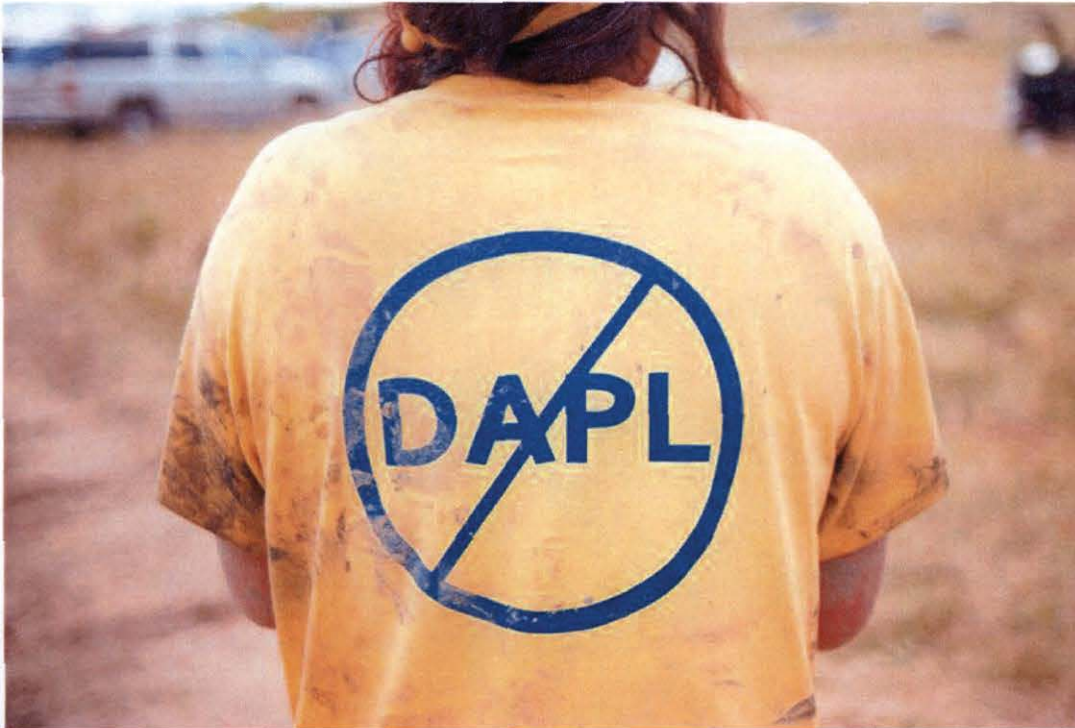
How You Can Show Your Solidarity in the Fight Against the Dakota Access Pipeline

by Krystal Two Bulls

October 28, 2016

- [facebook](#)
- [Twitter](#)
- [Email](#)

The Red Warrior Camp calls on all people from around the world to take action and join their Global Solidarity Campaign against the Dakota Access Pipeline. If you live on this land, breathe the air, and drink water — this is your fight too.



© Gokhan Cukurova 2016

Our Brothers, Sisters, and Protectors are putting their bodies and lives on the line everyday on the frontlines in Standing Rock, and we need as many of you on our side as we can get. We call upon *all* protectors to come stand with us. If you cannot be physically present, you can still take escalated action to stop the pipeline and support our struggle.

The Dakota Access Pipeline is scheduled to start operations January 1, 2017, when it will begin carrying almost 500,000 barrels of fracked oil from North Dakota to Illinois every day. With that date quickly approaching, we're calling for two months of sustained waves of action targeting the Army Corp of Engineers (which issued the permits for construction of the pipeline), investors, pipeline companies, security firms, and elected officials pushing the project forward.

It's up to all of us to hold these institutions, corporations, and individuals accountable and put a stop to this pipeline.

That's why I'm calling on you to join this fight. It's time to show those behind the pipeline that the world is watching.

Everyone has a role to play in stopping the Dakota Access Pipeline. Check out our [Global Solidarity Campaign](#) to get the tools you need to show up in this fight. From participating in peaceful actions and protests near you to organizing your community to travel to Standing Rock, there are so many meaningful ways to get involved.

And I hope you will get involved, because in the end, this is your movement, too.

This fight is larger than Standing Rock. When the Dakota Access Pipeline is defeated, there is still so much work to be done. There are communities around the world fighting the same corporations and systems that we're up against at Standing Rock.

This is about Indigenous rights, human rights and the rights of Mother Earth being violated for corporations and their profit. This is about a capitalist system that allows for these violations to continue at the expense of people around the world. This is about recognizing that with the energy created at Standing Rock, those organizing at Standing Rock have a responsibility to uplift the shared struggles of *all* peoples if we wish to pass down a healthy world to future generations.

2/14/2019

How You Can Show Your Solidarity in the Fight Against the Dakota Access Pipeline

Even though we are being arrested and charged for simply protecting our water, we will not let that stop us. In fact, we're taking back our power and charging the pipeline companies, banks, and individuals behind this project with crimes against humanity and crimes against Mother Earth.

The Dakota Access Pipeline is in direct violation of the United Nations' [Declaration on the Rights of Indigenous Peoples](#), particularly with regard to the right to free and prior informed consent, desecration, redress, militarization, development, treaties, and judicial proceedings. It's also in direct violation of the United Nation's [Declaration of Universal Human Rights](#), especially with respect to the right to security of person and the right to not be subjected to torture or to cruel, inhuman, or degrading treatment or punishment.

The sacredness and power of the water is what brought us together. It is what connects us. That is why we are asking people to use the hashtag #WorldWaterOne, www.worldwaterone.org, when sharing online about your solidarity efforts against the pipeline.

[Rise up to defeat the Dakota Access Pipeline! Find a solidarity action near you.](#)



By [Krystal Two Bulls](#)

Krystal Two Bulls is an Oglala Lakota/Northern Cheyenne woman from Lake Deer, Montana. She organizes with the Red Warrior Camp out of Standing Rock and the Global #NoDAPL Solidarity Team. She is also the Director of Voices of the Sacred, an organization that focuses on the healing, empowerment and leadership development of Indigenous Peoples by addressing social, racial and environmental injustices. Twitter: [@lakota_rain8](#).

- [Climate](#)

Take Action

- [Tell Congress we need a strong Green New Deal!](#)

[Sign the Petition](#)

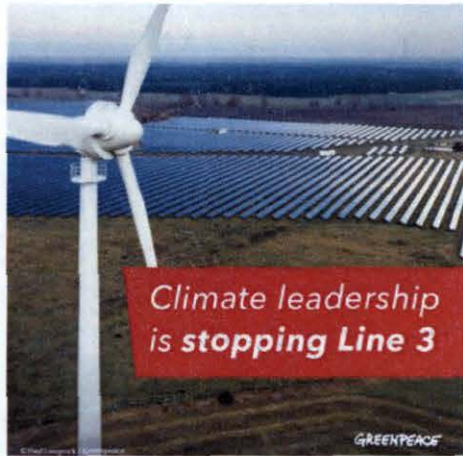


- [Stop the Line 3 Tar Sands Pipeline in Minnesota!](#)

[Sign the Petition](#)

2/14/2019

How You Can Show Your Solidarity in the Fight Against the Dakota Access Pipeline



We Need Your Voice Join Us!

Sign up

Please join us.

Contact Information

 First Name*

 Last Name*

 Zip Code*

 Email*

 Mobile Phone*

Standard text messaging rates will apply. Greenpeace US may contact you by email or phone with campaign updates and other offers of engagement. You can unsubscribe at any time.

Sign Up!

Want to learn more about tax-deductible giving, donating stock and estate planning?

Visit [Greenpeace Fund](#), a nonprofit, 501(c)(3) charitable entity created to increase public awareness and understanding of environmental issues through research, the media and educational programs.

[Greenpeace](#)

702 H Street, NW, STE 300, Washington, D.C. 20001 | (202) 462-1177

[Take action Donate](#)

- [What We're Doing](#)
 - [Saving the Arctic](#)
 - [Protecting Forests](#)
 - [Fighting Global Warming](#)
 - [Protecting Our Oceans](#)
 - [Living Toxic-Free](#)
 - [Promoting Sustainable Food](#)
 - [Defending Democracy](#)
- [How It Works](#)
 - [Investigate](#)
 - [Connect](#)

2/14/2019

How You Can Show Your Solidarity in the Fight Against the Dakota Access Pipeline

- [Act](#)
- [Get Involved](#)
 - [Make a Donation](#)
 - [Take Action](#)
 - [Volunteer](#)
 - [Frontline](#)
- [About](#)
 - [Board Members](#)
 - [Leadership](#)
 - [Issue Experts](#)
 - [Careers](#)
 - [Internship Opportunities](#)
- [News & Media](#)
 - [Photos & Videos](#)
 - [News Releases](#)
 - [Media Contacts](#)
 - [Publications](#)
 - [Blog](#)
- [Stories & Victories](#)
- [Research](#)
- [Contact](#)
- [ffacebook](#)
- [tTwitter](#)
- [vYouTube](#)
- [iInstagram](#)
- [Copyright](#)
- [Privacy Policy](#)

[Other Greenpeace USA Sites & Blogs ▼](#)